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EASTERN INTERIOR REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING

10  
11 Tanacross Community Hall  
12 Tanacross, Alaska  
13 February 18, 1998  
14

15 VOLUME I  
16

17 COUNCIL MEMBERS PRESENT:  
18

19 Charles P. Miller, Sr., Chairman  
20 Philip J. Titus, Vice Chairman  
21 Nathaniel Good, Secretary  
22 Craig Fleener  
23 Gerald D. Nicholia  
24 Lee Titus  
25  
26 Vince Mathews, Coordinator

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P R O C E E D I N G S

(On record)

MR. MATHEWS: Okay, can everybody hear us out there?

CHAIRMAN MILLER: Take your seats, please.

MR. MATHEWS: Okay. Because of the rush of setting up -- and for the record, this is the Eastern Interior Regional Advisory Council Meeting. The section we're in now is called the work session. It is open to the public, but we're not going to take testimony at this moment, we're not going to debate issues or bring up other information. This is just to kind of lay out how the meeting is to go forward and to get input from the Council, you know, clarification on that.

So with that I'll kind of launch, if that's okay with the Chair, to go ahead, to go through the agenda and how we envision this going forward. All right. I suppose to get the record going straight, I'm Vince Mathews of the Fish and Wildlife Service. We will have introduction of guests when we get into the regular agenda, but for whoever is typing this up they probably need to know who I am before I get moving.

Okay, if you turn to Tab N as in Nenana there's a copy of the agenda. For the public and other staff there's agendas on the back table. With the consultation with the Chair and others we've adapted the agenda, over time, to be action items and informational. This time we've changed the order of the events to bring up proposals earlier on in the agenda, which will be helpful, but it also means we're going to have to monitor our time so we have adequate time to deal with the other issues.

It's a standard agenda, obviously called to order, roll call, all that and we'll do that when we get on our official meeting. I did talk to Glenn Daily, I believe it is, and I can't remember the Chief of the village right now, and I apologize for that. I think Jerry.....

MR. FLEENER: Jerry Isaac.

MR. MATHEWS: Jerry Isaac. And they're going to invite, possibly an elder, to come by here at 10:00-10:30 so we may need to adapt our schedule to allow the elder to speak or elders. So that is on Item number 4.

Item number 5 is Council member concerns. This is where each Council member can share information that they would

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1 like to bring forward to the Council. Concerns, topics, et  
2 cetera, that's a time where we kind of brainstorm and then if  
3 there's ideas that come up out of it that need to be added to  
4 the agenda we look at it when the agenda is before us for  
5 approval.

6  
7 Then we have pass to the agenda and approval, which is  
8 pretty standard. The reading of the minutes. I suppose I need  
9 some direction on that. We've done it both ways, we've done it  
10 where I've summarized it and you guys approved it and we've  
11 done it where there's been a pause and you guys looked them  
12 over. You did get them in the mail ahead of time. So what is  
13 your prerogative on that, just to pause a few minutes?

14  
15 MR. FLEENER: Yeah, I'd like to take an opportunity to  
16 just pause and read through it and then if we have questions we  
17 can ask them.

18  
19 MR. MATHEWS: Okay. And we change them, there's no  
20 problem with that. Once the meeting approves them, then they  
21 become the minutes of the last meeting, which was at Dot Lake.

22  
23 Okay, then we come up to -- I'm just going to keep  
24 moving, so if you have questions you're going to have to stop  
25 me on it. We have the Regional Council members report, which  
26 is somewhat redundant of Council member concerns, but it's a  
27 little bit different. This is where generally the Chair has  
28 quite a few reports where he has met with other groups and  
29 wants to share stuff, it's not obligated that he does, but  
30 these are some that he's been involved with.

31  
32 Then the second part of that is other members reports.  
33 This is where Philip attended the, what is it?

34  
35 MR. P. TITUS: YRFDA.

36  
37 MR. MATHEWS: YRFDA, which is Yukon River Fisheries  
38 Drainage Association meeting. Nat may want to report something  
39 on a meeting he's gone to, the Delta Advisory Committee or  
40 something like that. Gerald may want to talk about, you  
41 mentioned to me some tribal organization that you may want --  
42 this would be a time to inform the Council of other issues that  
43 they may be -- not other issues, other information that may be  
44 important to them. But we'll keep it brief, but it's a sharing  
45 time.

46  
47 Then we get into proposal review and recommendations.  
48 Pete's not here but I know that he would agree with this. The  
49 way we're going to do it, assuming we get an overhead project  
50 -- I mean overhead screen to do this on, but if not, we'll

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1 still do the similar steps. Is I'll introduce the proposal,  
2 and that'll be basically telling you proposal number, what the  
3 topic is and basically a little bit about the proposal, very  
4 little. If the overhead screen is here, I'll put an overhead  
5 up that shows that same information.

6  
7 Okay, and then depending on the proposal, so let's say  
8 it's a biological proposal, one that's changing a season or  
9 harvest limit or methods and means, Pete will be handling  
10 those. If it happens to be a customary and traditional use  
11 determination then George will be the main lead on it. Now,  
12 they'll probably share in different points, but that's the  
13 general make-up of how this is done.

14  
15 I think what they're probably going to do, depending on  
16 the proposal, is tailor it to the needs of the proposal, i.e.,  
17 if it's a proposal that has, in our opinion, minimal effect on  
18 the region, they're probably going to pare their presentation  
19 down to that. You can ask questions on it, obviously, and do  
20 that, but because of the amount of proposals we have, we're  
21 going to take that approach on proposal that are not directly  
22 of a large impact on the region, but you can change that if you  
23 have questions, and we encourage you to do that.

24  
25 Then we go to agency comments, I don't know if the  
26 State is going to be here. I will be doing the comments if  
27 they're not present here for the State. Remember in Tanana, I  
28 would say "Terry", if Terry Haines was here from Division of  
29 Subsistence "would you like me to read the comments?" And he'd  
30 say "Sure" or "No, I want to share." I don't know if the State  
31 will be here, but if they are I will do that unless they  
32 surrender that.

33  
34 Then you go to open floor, public comments. If someone  
35 wants to come up, and again, we'll probably move these mikes to  
36 make that easier, okay? And then it's Regional Council  
37 deliberation and recommendation.

38  
39 Is that comfortable with the Council, this order? It  
40 seems, you know, bureaucratic, but that way we are developing a  
41 good administrative record and you'll have freedom throughout,  
42 but definitely down under deliberation and recommendation. On  
43 that, as your Coordinator, I need to advise you what your  
44 criteria are on your recommendation. Your recommendation for  
45 the Board to reject it, your recommendation is if it's not  
46 based on substantial evidence, if it's contradictory to  
47 recognized principles of wildlife conservation and is  
48 detrimental to subsistence.

49  
50 So if we reverse that to get them to take your

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1 recommendations and pass them into regulation, it must be based  
2 on substantial evidence, it must recognize the conservation  
3 concerns of the species and be beneficial to subsistence.

4  
5 Now, other staff have been working on me quite a bit on  
6 this over time, but I know you have said it on the record that  
7 your concerns first are of the conservation of the species  
8 first, because without the species in good health you do not  
9 have use of it. So I'll know you'll build from that. But to  
10 make your record stronger before the Board or if we ever have  
11 to go to court to defend your recommendation, it's going to  
12 need to touch upon those.

13  
14 Now, that doesn't mean we do a dissertation, a big long  
15 speech, about the biology, but you do have the analysis in  
16 front of you, you can pull from that or you can reference that.

17  
18 The reason I'm spending so much time on this is when we  
19 -- when and if we go to fisheries it's going to be imperative  
20 that the record reflect that you based it on sound evidence,  
21 okay, because we're going to be dealing in a different area, so  
22 if we start now we'll be better off.

23  
24 If that's okay with you guys and the staff's all geared  
25 up for that, that's how we will handle proposals.

26  
27 And for the public that's here and staff, unless the  
28 Chair decides differently, in the past he's always recognized  
29 requests to speak throughout the whole proposal, throughout the  
30 whole agenda. We do have official sign-in sheets back there,  
31 but I don't expect we're going to need to use those unless we  
32 get a lot more people here, okay. But for those that want to  
33 use the sign-in sheets go ahead and do that, bring them up to  
34 the table here and we'll go that route.

35  
36 Okay, then we have the Annual Report, and you got that  
37 in the mail, we'll talk more about that. The Annual Report  
38 cycle is last meeting you gave ideas, I worked out writing up  
39 those ideas as best as I could, sent them out with the Chair's  
40 approval, and now they're back before you to approve the Annual  
41 Report. That shouldn't take too long, other than we may add or  
42 subtract some items.

43  
44 And then I would request, with the Chair's concurrence,  
45 that then if Gerald says "Well, this needs to be rewritten."  
46 that he would leave it up to the Chair and I to finalize that  
47 instead of going back to a mailout and coming back in. If  
48 that's okay. We'll address that again there.

49  
50 Okay. Charter renewal and approval, there's a tab

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1 under that. This is your biannual charter. There's some items  
2 in there that you are particular unique on that we will talk  
3 about, and that's your request for alternate members. So we'll  
4 talk about that further.

5  
6 Fisheries. With concurrence of the others, I think we  
7 have it down here the way it's going to go. There'll be an  
8 overview of the Draft Proposed Rule and Environmental  
9 Assessment, Rosa will be doing that. They'll be a summary of  
10 public comments. I think the way we'll handle that is Gerald  
11 was at the Tanana meeting, he was involved in setting it up and  
12 was there. I also have Ida Hildebrand, who we the one that was  
13 the hearing officer there, her notes. And then we have notes  
14 from the Fort Yukon and you were -- sorry, for the record, what  
15 your.....

16  
17 MR. FLEENER: Mr. Fleener.

18  
19 MR. MATHEWS: Mr. Fleener. Craig was at the Fort Yukon  
20 one. So we'll have enough information to give you an idea of  
21 what was said at the public comments that were at hearings  
22 within your region.

23  
24 Then there'll be opportunity for public comments. The  
25 public and the subcommittee will report. We had subcommittee  
26 on that, Craig and Chuck and we'll talk about that. And then  
27 there's time for deliberation and recommendations. Okay, so I  
28 think that's all on how we had it planned.

29  
30 The next item, which is Item 13, the Park Service will  
31 be conducting, I believe Janis is doing that. And please note  
32 the color photograph on that book.

33  
34 MR. FLEENER: It is beautiful.

35  
36 MR. MATHEWS: It is beautiful. They're going to  
37 present that. Right now I'm just going to leave it up to them  
38 when they present that, what they want from the Council out of  
39 that.

40  
41 Okay. Then we have actually completed, in many ways,  
42 most of the actions items. Then we're into informational  
43 items, but this agenda evolves so much that there's some mixing  
44 down here. Then we go correspondence, sent and received, and  
45 I'll brief you on that.

46  
47 Then we have an action item on coordination efforts  
48 with Alaska Department of Fish and Game. Fish and Game will be  
49 here and I don't know if I passed those out. I'll make sure  
50 that you have a copy of the latest report from the Staff

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1 Committee Taskforce on that, it just came in yesterday.

2

3 Okay, then we go on to updates on different items  
4 dealing with the overall program. One is the restructure of  
5 Federal Subsistence Board and I think Sue is doing that. Okay.  
6 And then Request for Reconsideration and Special Action policy,  
7 that one you need to take a look at, and I think Sue's doing  
8 that also.

9

10 UNIDENTIFIED VOICE: Rosa.

11

12 MR. MATHEWS: Rosa's doing that, okay. And then we  
13 have the consent agenda, you guys have already said what you  
14 wanted on that, but I think you need to hear more about what  
15 has transpired. You've already requested -- you've already  
16 approved the concept of consent agenda.

17

18 Then we have nominations updates. And then new member  
19 training materials, final copy. Well, that didn't get here, so  
20 it's final.

21

22 MR. FLEENER: What's this nominations update?

23

24 MR. MATHEWS: Nominations update would be -- we would  
25 give you -- it'll be about 20 seconds, and update of where the  
26 nomination process is. Right now it's open for nominations,  
27 the seats that are open for your thing -- for your three seats.  
28 And I don't have any report as whose names have been submitted  
29 so far.

30

31 MR. FLEENER: So you don't know who and how many yet?

32

33 MR. MATHEWS: I know how many, obviously you have a  
34 third of your Council up. We know out of that three one is not  
35 reapplying, unless he changes his mind. So definitely there'll  
36 be a new member. The other two could reapply. Everyone's  
37 looked at on their merits, new and old and et cetera. So that's  
38 what nominations updates would be.

39

40 And that would be a time to just enlighten you and then  
41 encourage you to talk to others, like for example, Craig, since  
42 Steven Ginnis is not reapplying, to see if there's others. Not  
43 that Fort Yukon might get another seat, but that there might be  
44 others that might be interested. We'll cover what I assess as  
45 holes in the region when we talk about that. Remind me when we  
46 do that because we may need some help on that. Well, we  
47 definitely need help on that.

48

49 Okay. The next item was a request to have it added to  
50 the agenda. You're going to hear me on the record make it

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1 clear that this is a management issue, not a subsistence issue.  
2 This is the wood bison reintroduction. That's to make clear  
3 the record, but under ANILCA you have authority to comment on  
4 other things and Craig will be the one that's mainly  
5 coordinating that or facilitating that discussion. And he'll  
6 remind you of your action that you took, let's see, last  
7 meeting.

8  
9 Okay. The next is agency reports. What we've done  
10 with agency reports is put them at the end, which they usually  
11 end up complaining to me about, because it doesn't leave them a  
12 lot of time. What we're trying to do with agency reports is  
13 target them for the fall meetings where they could spend more  
14 time on agency reports. This does not defer the agencies,  
15 because I know there's Park Service people, Bureau of Land  
16 Management people. If there's something that needs the  
17 attention of the Council now. That needs action now, that  
18 can't wait till fall, please bring it up, but realize that  
19 you're going to have minimal time doing that. You can see  
20 we're gearing up for when you deal with fisheries your time is  
21 going to become even more precious, so we're transitioning  
22 there.

23  
24 Okay. Under agency reports, it was requested last time  
25 and that's why it's there, that Native corporations be listed  
26 as number 1 and et cetera, so that's down there, that's an  
27 opportunity for Tanacross Tribal Council, Tanana Chiefs,  
28 Council of Athabascan Tribal Governments, whoever in that arena  
29 would like to share some information that is pertinent to the  
30 time.

31  
32 There will be an update on the Migratory Bird Treaty  
33 amendments, a new regulation process. I think Rosa is doing  
34 that. And that one, I know, you're personally interested in,  
35 so -- and that'll be explained. So that one is important to  
36 you to get an update on that.

37  
38 Then it's opened for the area biologist to speak. My  
39 understanding, Craig Gardner will be here. I don't know if Bob  
40 Stephenson will be here. Bob will be here. So we'll have two  
41 area biologist. I don't think the Fairbanks area biologist  
42 will be here. Again, they're going to be restricted to the  
43 same times as everyone else under agencies, but if there's  
44 something you need to know from them, you have opportunity on  
45 break, during proposal time, and at that time to call them up,  
46 but we'll be pretty low on time at that.

47  
48 MS. MELDRUM: Can I ask a question?

49  
50 MR. MATHEWS: Sure.



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1 MS. MELDRUM: Would the agency reports, would that be  
2 the time to discuss the Wrangell/St. Elias SRC recommendation  
3 of did you have that booked in somewhere else?

4  
5 MR. MATHEWS: Which recommendation?

6  
7 MS. MELDRUM: It's under Tab U, it's the second page  
8 in.....

9  
10 MR. MATHEWS: Oh, hunting plan?

11  
12 MS. MELDRUM: (Indiscernible - cough)

13  
14 MR. MATHEWS: I think it would -- with the agreement of  
15 the Chair and the Council, I think it would be best to do that  
16 when you do your subsistence plan.

17  
18 MS. MELDRUM: Okay.

19  
20 MR. MATHEWS: Is that okay?

21  
22 MR. FLEENER: Is that the one we discussed the last  
23 meeting?

24  
25 MR. MATHEWS: He's asking is that -- I don't think we  
26 discussed this hunting plan at the last meeting.

27  
28 MS. MELDRUM: No, not the particular hunting plan  
29 recommendation, it just came out of their last meeting in  
30 November. You have seen this before. The hunting plan  
31 recommendation is new, it's just one page.

32  
33 MR. MATHEWS: Yeah, the SRCs have to do hunting plans  
34 versus like we do proposals or whatever.

35  
36 MS. MELDRUM: And it's written up under Tab U.

37  
38 MR. MATHEWS: So I think that might be best under 13.  
39 I'm not going to -- well, when we approve agenda we can.

40  
41 Then we pick time and location for next meeting and  
42 we're out of here.

43  
44 MR. FLEENER: What's her name?

45  
46 MR. MATHEWS: Who's name? Oh, that's Janis Meldrum,  
47 and it's not with an E. Too, me four years to figure that out.

48  
49 MR. FLEENER: Which part's not with an E, the Mel or  
50 the drum?

00010

1 MR. MATHEWS: The E on Jan -- no E on Janis.

2

3 Okay. Any questions? I went fast through that.

4 That's how we envision the meeting going forward. What is your  
5 feelings on that? I think I've already explained why I went  
6 through, we're just trying to achieve a good record that you  
7 can carry back to your communities, that can go forward to the  
8 Board and that just makes life easier on all realms.

9

10 MR. FLEENER: I feel good. That was too easy.

11

12 MR. MATHEWS: Okay. I suppose I could turn it over to  
13 the staff. Are there any other questions? This really kind of  
14 -- we're not into the full meeting, we're just kind of  
15 organizing how to run the meeting. Is there any other input  
16 from staff that want something different on the meeting?

17

18 (No audible responses)

19

20 MR. MATHEWS: I don't hear any. So.....

21

22 MR. FLEENER: We might actually get started early.

23

24 MR. MATHEWS: Let's see what we got down here.

25

26 MR. FLEENER: That's the workshop book.

27

28 MR. P. TITUS: Did we skip the workshop or.....

29

30 MR. MATHEWS: This is the workshop.

31

32 MR. FLEENER: Yeah, if you have any -- no, he was just  
33 going over stuff that -- the purpose of the work session was to  
34 -- before, a lot of times, we had some confusion with proposals  
35 and whatnot and he's just -- we're just going down the road to  
36 talk about how we're going to organize things. And if we have  
37 any questions about how things are organized right now, now is  
38 the time to ask it. And if we have concerns about specific  
39 items that may come up, we can bring those concerns up now,  
40 talk about it, get it semi-solved now before we officially  
41 start talking about things.

42

43 So if there are not real concerns.....

44

45 MR. P. TITUS: Our meeting got moved down here because  
46 of our public thing and there's nobody from the public  
47 (indiscernible - simultaneous speech).....

48

49 MR. MATHEWS: Okay, the meeting location.....

50

00011

1 MR. P. TITUS: .....don't go. Supposed to be salmon  
2 issues, right?

3  
4 MR. MATHEWS: Salmon iss -- well, we're going to be  
5 talking about fisheries.

6  
7 MR. P. TITUS: I mean the public hearing is a salmon  
8 issues deal?

9  
10 MR. FLEENER: Yes.

11  
12 MR. MATHEWS: Yeah.

13  
14 MR. P. TITUS: Kind of ridiculous to have the meeting  
15 where salmon don't go.

16  
17 MR. MATHEWS: I don't -- what's.....

18  
19 MR. FLEENER: He's saying it's kind of -- we didn't --  
20 many of the Council members didn't want to move the meeting as  
21 it was, we moved the meeting at this point so we could come  
22 here specifically for the salmon hearing and there was one  
23 person from the public, I guess, that showed up. And it's a  
24 place that salmon don't go too often, I guess, so -- unless  
25 they're canned or something. So.....

26  
27 MR. MATHEWS: Well, there may be difference of opinion  
28 on the salmon, where they go, but the moving of the meeting was  
29 because of coupling it with the hearing. There was no hearing  
30 set up for Minto, so we moved it from Minto to Fort Yukon and  
31 then travel concerns and et cetera for Fort Yukon, we ended up  
32 moving it to Tanacross. So that's the chain of events there on  
33 moving the meeting.

34  
35 I think that when we get to setting up the meeting for  
36 the next round we'll need to make clear where you want to meet,  
37 first and second. We usually do that, but make it very clear  
38 on that and then what parameters.....

39  
40 MR. FLEENER: I think we were fairly clear where we  
41 wanted to go first and second last time and second was a  
42 consideration. Rampart was where we wanted to meet if there was  
43 -- if fisheries was going to be discussed.

44  
45 MR. MATHEWS: Right.

46  
47 MR. FLEENER: And that wasn't considered and really the  
48 Council, I don't know, I really wasn't asked, do you want to go  
49 to Tanacross? It just came across on the phone, we're going to  
50 Tanacross, so.....

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1 MR. MATHEWS: Right, that was -- the directive on that  
2 or the discussion, I suppose would be a better way of saying  
3 it, was that the Council should have exposure to a public  
4 hearing and the hearings were set up off this list. And the  
5 hearings in Interior were Fairbanks, Tok, Fort Yukon, I think  
6 that's the three for Eastern.

7  
8 MS. MEEHAN: Tanana.

9  
10 MR. MATHEWS: Tanana.

11  
12 MR. FLEENER: Well, the fishing does not matter to the  
13 public there. Way they hell on the Yukon River.

14  
15 MS. MEEHAN: Maybe I can help out a little bit here.  
16 It's -- we're sort of stuck with where we are and so it seems  
17 to me it would be best could just move on. Unfortunately we  
18 were stuck in a position of having essentially two separate  
19 processes that we were just trying to work out all the  
20 logistics on and all of the agencies in trying to pick up all  
21 the local concerns we could. So we had sort of one separate  
22 effort to set up where all of these public meetings were going  
23 to be and then we tried to meld that with all the interests in  
24 having all 10 of the Regional Council meetings. And we just  
25 had to make some accommodations to try and get the two  
26 processes put together and unfortunately your Council was stuck  
27 with having to move, you know, kind of keep changing the  
28 situations. And I'm really sorry that happened, but we were  
29 just were sort of stuck with trying to do all this logistics to  
30 get all of this stuff worked in. And.....

31  
32 MR. FLEENER: Well, the idea that we're in Tanacross  
33 doesn't bother me at all. I don't want -- I mean, it's being  
34 made to sound like we don't want to be here and I don't want  
35 anybody to think that we don't want to be here, so that's  
36 definitely would be a misunderstanding to say anything like  
37 that. But we don't want to just skim over the top of this and  
38 say "Let's move on." Because if there's a concern of where  
39 we're meeting and if, as local representatives, people ask us  
40 to have meetings in their communities, we need to make sure  
41 that we keep that as a top consideration. We're here to work  
42 for the people that ask us to come, that ask us about questions  
43 that have subsistence concerns. And if we just say, oh, we're  
44 just going to go where staff decides to send us, you know,  
45 that's not what the people out in the villages want to hear.  
46 And I'm not saying that that's what took place, but there  
47 wasn't any input from me as to where I wanted to go on this.  
48 And if we're going to just turn over to the staff where we're  
49 going to go from now on, then, you know, that is taking away a  
50 lot of public input, especially if there's certain concerns out

00013

1 there.

2

3 MS. MEEHAN: And I truly appreciate your concerns, and  
4 everybody on the staff does, but we got put into an unusual  
5 situation this particular time because we were mandated, if you  
6 will, to run all these other public meetings and so it was an  
7 unusual circumstance.

8

9 MR. FLEENER: I understand that and I appreciate it,  
10 but I just didn't like the idea of, you know, us hurrying along  
11 and saying that we needed to just move on in this because that  
12 is -- that's one of the things that's most important about what  
13 we do is meeting with the communities and listening to the  
14 communities. And if we just start going around where someone  
15 says we need to go, you know, without us having input about it,  
16 I don't like that and I don't know if anybody else likes it  
17 either.

18

19 MR. GOOD: You know, I have one concern, and it's too  
20 late to be concerned about it, I guess but, you know, when the  
21 meeting was advertised for here as relating to the Federal  
22 fisheries, I think -- I wonder if more attention was paid to  
23 the Interior because the people here really, if you had signs  
24 up saying "The Federal fisheries takeover and its impact on dip  
25 netting at Chitina." I think you'd have a great deal more  
26 interest. I think you would have drawn people from Delta  
27 Junction, but when it was put that way, it just seems so bland  
28 and so distant, you know, maybe you need to hit them a little  
29 more personally because people in this area tend to go to  
30 Chitina and dip net where they're going to get fresh salmon  
31 that haven't come all the way up and lost most of their fat by  
32 the time they come here. But it's too late not to -- it's just  
33 a comment.

34

35 MR. FLEENER: Any other concerns by the Council? Oh,  
36 I'm sorry, that's your job.

37

38 CHAIRMAN MILLER: Is there any more questions or.....

39

40 MR. MATHEWS: Because we're just in the workshop  
41 session now, we're not.....

42

43 CHAIRMAN MILLER: Go ahead.

44

45 MR. JONATHAN: Chuck, I wanted to welcome you guys to  
46 Tanacross. Oh, this is Keith Jonathan, I sit on the Village  
47 Council here and I also sit on the Upper Tanana Advisory  
48 Committee and the Forty-Mile Caribou Management Committee. I  
49 just wanted to welcome you guys to Tanacross, having this  
50 meeting here. We don't get a chance to see the Committee

00014

1 sitting up here very much on the upper Tanana. And to me I  
2 hear there's fisheries concern that's important to a lot of  
3 areas and there's also other concerns on here that I feel  
4 people that walk in need to comment on that's important to our  
5 area. A lot of it is toward subsistence fishing, hunting and  
6 -- but I hear the Committee's concern and it's good one. I  
7 think that you need to -- if there's a point in the meeting --  
8 if there's an area that you need to set the meeting and, you  
9 know, just clear you guys feelings. But just being on the  
10 council, I just wanted to welcome you guys to Tanacross.

11  
12 CHAIRMAN MILLER: Thank you, Keith.

13  
14 MR. MATHEWS: Well, our options now would be to go  
15 ahead. I don't think it would -- this being so close to 10:00  
16 o'clock that someone was targeting 10:00 o'clock that we  
17 couldn't backtrack for them. It is noted in the agenda  
18 starting at 10:00 but we're so close to 10:00.

19  
20 MR. P. TITUS: Maybe we can take a five minute break.

21  
22 MR. FLEENER: That's what we could do is take a break  
23 and go over the minutes, I guess.

24  
25 CHAIRMAN MILLER: Well, let's recognize the elders from  
26 Tanacross.

27  
28 MR. MATHEWS: Then I think we'll let him speak and  
29 that'll start the meeting off, if that's okay with everybody.

30  
31 CHAIRMAN MILLER: Want to take a few minute first or go  
32 right into it?

33  
34 MR. MATHEWS: Well, why don't we break and talk to him  
35 when it would be comfortable for him to speak.

36  
37 CHAIRMAN MILLER: Okay.

38  
39 MR. MATHEWS: Okay, so we'll just recess.

40  
41 (Off record)

42  
43 (On record)

44  
45 CHAIRMAN MILLER: Vince, did you want to go with the  
46 roll call or did you.....

47  
48 MR. MATHEWS: Yes, just.....

49  
50 MR. FLEENER: The secretary should do that.

00015

1 (Indiscernible - multiple voices)

2

3 MR. MATHEWS: All right, Mr. Chairman, you're  
4 indicating to me to do roll call, so I'll go ahead and do that  
5 for the record. Calvin Tritt is absent, Timothy Sam is absent,  
6 Gerald Nicholia.

7

8 MR. NICHOLIA: Here.

9

10 MR. MATHEWS: Steven Ginnis is absent. Lee Titus,  
11 absent. Craig Fleener.

12

13 MR. FLEENER: Here.

14

15 MR. MATHEWS: Nat Good.

16

17 MR. GOOD: Present.

18

19 MR. MATHEWS: Philip Titus.

20

21 MR. P. TITUS: Present.

22

23 MR. MATHEWS: Chuck Miller.

24

25 CHAIRMAN MILLER: Present.

26

27 MR. MATHEWS: Mr. Chairman, you have five members  
28 present out of a nine member Council, you have a quorum of  
29 five.

30

31 CHAIRMAN MILLER: Thank you, Vince. Okay. The next  
32 thing is the introduction of Council members. If it's okay  
33 with the Council here, I'd like to go ahead and have the  
34 Tanacross senior go ahead and say something to kind of open the  
35 meeting up.

36

37 MR. GOOD: Yeah, that's fine, sure, go ahead.

38

39 MR. MATHEWS: We'll need to get him near a mike, I  
40 think.

41

42 (Off record comments - getting elder situated)

43

44 MR. THOMAS: Good morning, ladies and gentlemen. My  
45 name is Kenny Thomas, I'm from Tanacross and I'd like to  
46 welcome you people here. And I've lived here all my life. And  
47 one of the things that I wanted to say about, you know, the  
48 things are -- I don't know, I don't want to take too much of  
49 your time, but I'd like to -- I lived here most of my life, I  
50 said, and I really having trouble with the law today. I don't

00016

1 feel like there's any freedom at all for me.

2

3 The reason why I don't feel that way is -- I feel that  
4 way is I feel like I'm in a cage today, just like a money in a  
5 cage. The reason why I feel that way is because of the law.  
6 The law is here and the game is over here, the law is over here  
7 and things that I wanted to do I can't do. And the law today,  
8 I can't even go out and build a fire unless I got a permit. I  
9 can't cut wood unless I got a permit. I can't set out my fish  
10 net unless I have a permit. I can't go out hunting unless I  
11 have a license.

12

13 I have to go to by the law by the way what people do.  
14 I have to obey the law, just like anybody else. Where is  
15 subsistence? I hate that damn word. Subsistence -- the way of  
16 life is for me, that's how I was brought up. That I don't see  
17 it today anymore. I can't live that way because of the law.  
18 So I hope you people can do something better for us. There's  
19 lot of us that don't have jobs, we don't have nothing. I don't  
20 how we going to make a living. If we go out and shoot a damn  
21 moose you're going to have to go to jail. What the hell can  
22 you do? How can you live like we used to?

23

24 So I hope you people can do something about this. I  
25 want to thank all you people for coming here to Tanacross and  
26 thank you very much.

27

28 CHAIRMAN MILLER: Thank you, Kenny. Let's see, moving  
29 right along here. Get an introduction of Council members,  
30 agency staff and honored guests. Start with Gerald.

31

32 MR. NICHOLIA: My name is Gerald Nicholia, I'm from  
33 Tanana, I currently work for a (indiscernible) Council and got  
34 appointed to this Board last year.

35

36 MR. FLEENER: My name is Craig Fleener, I'm from Fort  
37 Yukon. I work for Fish and Game. I am a college student in  
38 Fort Yukon at UAF. Been on this Council for a couple of years  
39 and hope to stay on it for a while. And I appreciate the  
40 comments that Mr. Thomas and would like to say that our job  
41 here is to work for people that have concerns of this nature  
42 and anytime that these concerns are brought to our attention  
43 that we'll try to do what we can to address them and to try to  
44 give more people a subsistence opportunity, which is our  
45 responsibility and the Federal government's responsibility to  
46 protect subsistence opportunity for -- I guess it's for rural  
47 people, but we're definitely here to work for the -- to work  
48 for people and if there's any concerns or any questions we  
49 would certainly urge people to ask us, to write us letters, to  
50 give us a phone call and talk to us. And if there's anybody



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1 that needs phone numbers, we'll be more than happy to hand  
2 those out. And while where here, if you have certain concerns,  
3 certainly come up and ask us or fill out a paper in the back or  
4 just raise your hand and we'll give you an opportunity to  
5 speak.

6  
7 Thank you very much.

8  
9 CHAIRMAN MILLER: My name is Chuck Miller, I live at  
10 Dot Lake, I work for the Village Council as the Tribal  
11 Administrator at Dot Lake. I've sat on this Board probably for  
12 about four years now. And there's still a lot of issues that  
13 seem to keep coming up but we're going to keep working at it.  
14 Hopefully together we'll be able to work something out.

15  
16 MR. P. TITUS: I'm Phil Titus, I've been on this Board,  
17 one year I guess. That's all I have, I guess. I'm from Minto.

18  
19 MR. GOOD: I'm Nat Good, I'm from Delta Junction. Been  
20 on this Board a couple of years. I can certainly understand  
21 where you're coming from when you say the law has tied  
22 everything up. I've been here almost 30 years now in the state  
23 and I've lived in many areas of the state, and it seems like  
24 the web just seems to get a little stickier all the time.

25  
26 When I first came up here it was a lot easier to fish  
27 and hunt and I have to say that the hunting license and things  
28 that you're referring to, one of the reasons we don't have  
29 statistics is people really didn't have to have them when they  
30 lived in the more rural areas of the state, there wasn't that  
31 much enforcement with them. I don't know that we're going to  
32 get back to those freer days but maybe there might be some way  
33 we could relax things a bit, particularly for some of us that  
34 have been around so many years and have to remember what it was  
35 like and see what it is now.

36  
37 CHAIRMAN MILLER: Okay, is there any concerns from  
38 Council members that they would like to share now?

39  
40 MR. FLEENER: Mr. Chair, do we want to introduce the  
41 staff?

42  
43 CHAIRMAN MILLER: Oh, okay.

44  
45 MR. MATHEWS: We can do the staff introduction at this  
46 table and then I can either screw up everybody's names or they  
47 can come up to a mike. It might be easier for them to come up  
48 to the mike, the recorder.

49  
50 I'm Vince Mathews, Regional Coordinator for Eastern and

00018

1 Western Interior. I'm with the Fish and Wildlife Service in  
2 Fairbanks.

3  
4 MR. DeMATTEO: I'm Pete DeMatteo, I'm a biologist for  
5 the Eastern and Western Interior Regions. I'm with the Fish  
6 and Wildlife Service, Anchorage.

7  
8 MR. SHERROD: I'm George Sherrod, I'm the  
9 anthropologist for the Interior, with Fish and Wildlife Service  
10 and I'm stationed in Fairbanks.

11  
12 MS. DETWILER: I'm Sue Detwiler, I work in the  
13 Anchorage office of Fish and Wildlife Service in the  
14 Subsistence Office. And my primary job is coordinating the  
15 five Federal agencies that have subsistence responsibilities  
16 and also work on policy evaluation, policy analyses.

17  
18 MS. MEEHAN: Rosa Meehan, I in the Subsistence office  
19 in Anchorage with Fish and Wildlife Service. And I work with  
20 the anthropologists and biologists.

21  
22 MR. JONATHAN: Keith Jonathan, Tanacross. Sit on the  
23 Village Council.

24  
25 MR. BIRCH: John Birch, biologist with Yukon Charley  
26 National Preserve.

27  
28 MR. WILSON: I'm Curt Wilson, I'm with the BLM State  
29 office, I'm replacing Peggy Fox as BLM Statewide Subsistence  
30 Coordinator.

31  
32 MR. GERHARD: I'm Bob Gerhard, I'm with the National  
33 Park Service in Anchorage.

34  
35 MS. MELDRUM: I'm Janis Meldrum and I work for the  
36 National Park Service in Anchorage.

37  
38 MR. MITCHELL: I'm Carl Mitchell, I'm the biologist at  
39 Wrangell/St. Elias National Park, Copper Center.

40  
41 MR. VOSS: I'm Richard Voss, Fish and Wildlife Service.  
42 I'm the Refuge Manager of Tetlin National Wildlife Refuge.

43  
44 MS. GRONQUIST: Ruth Gronquist with the Northern  
45 District office of BLM in Fairbanks. I'm a wildlife biologist.

46  
47 MR. CARRILLO: I'm Jose Carrillo, I'm with the BLM  
48 office in Fairbanks, I'm a student call.

49  
50 MR. ULVI: I'm Steve Ulvi with the National Park

00019

1 Service out of Fairbanks now.

2

3 MR. THOMAS: I'm Kenny Thomas, Tanacross.

4

5 MR. G. SAM: I'm Gabe Sam, Director of Wildlife

6 (indiscernible - away from microphone) Tanana Chiefs

7 Conference.

8

9 MR. MATHEWS: Okay, Mr. Chairman, that bring us up to

10 -- well, it brings us up to Council member concerns, if there

11 are any concerns, Council members can share them. If we

12 combine the two topics there of agenda and concerns, it's

13 pretty close.

14

15 MR. P. TITUS: Mr. Chairman, I've got a concern.

16 (Indiscernible - away from microphone) but that's a concern.

17 That resolution. Do you want to see it?

18

19 MR. FLEENER: I got a concern I guess I can bring up at

20 this time. Something that we've been talking about at this

21 Council and several other committees around the state and in

22 some villages around the Yukon Flats, is the perceived problem

23 of the way that game or wildlife, in general, is being managed

24 in refuges around the state, particularly in a few refuges, but

25 I won't bring up any names at this time. A lot of people think

26 that the refuges are managing their refuges more like National

27 Parks and this has been a topic of great concern around the

28 Yukon Flats villages.

29

30 And it seems to be that people think that the -- they

31 would prefer that there weren't people there, you know, they're

32 using terminology and I've talked about this at other meetings,

33 that local people don't like to hear, you know, they call us

34 in-holders and it's just not a phrase that people hold to very

35 dearly. And these phrases are used. There's not a whole lot

36 of cooperation when it comes to game management.

37

38 Now there's attempts at cooperation and doing some

39 projects but there's not really a whole lot of cooperation when

40 it comes to actually managing the resources on refuges. And a

41 lot of local people that I talked to have some real concerns

42 about that. And I won't go in too deep on it, we need to get

43 moving on the agenda, but that's one of the big concerns that

44 I've been hearing locally and especially since I live right

45 smack dab in the middle of the Yukon Flats National Wildlife

46 Refuge, that's a big concern there to several people from

47 several communities around the Yukon Flats, so I just wanted to

48 bring that out.

49

50 Thank you.

00020

1 Oh, actually I do have one more thing. I should have  
2 written this down, but I didn't. There's another thing that  
3 came up of big concern and it's actually not a subsistence  
4 issue but it can affect subsistence and it's -- I don't  
5 remember exactly what it's called but it comes from the U.S.  
6 Fish and Wildlife Service and it's -- it has to do with buying  
7 land in or adjacent to -- there's a copy of it, thank you.  
8 It's Land Protection Plan and here's on specifically from Yukon  
9 Flat National Wildlife Refuge and I assume that the other  
10 refuges have also put these out.

11  
12 Has Tetlin put one out like this?

13  
14 UNIDENTIFIED VOICE: Still in the process.

15  
16 MR. FLEENER: Still in the making process but this Land  
17 Protection Plan here has some really interesting stuff in it,  
18 and I don't have my copy with me, but in this plan they talk  
19 about the opportunity for local people to sell their land, to  
20 lease their land or to donate their land to U.S. Fish and  
21 Wildlife Service. And this has gotten about -- I'd say 70  
22 percent of the people in Fort Yukon and surrounding villages  
23 really, really mad because here you have an extremely depressed  
24 economy and the Federal government offering to buy their land,  
25 you know.

26  
27 We, not we, but my predecessors, my ancestors when  
28 working on ANSCA, you know, and ANILCA, and dealing with the  
29 government in all of these land deals that they did in the old  
30 days really thought that Native land was going to be protected  
31 against any kind of buy-outs, takeovers and stuff like that.  
32 And here we have a Federal agency offering extremely poor  
33 people a lot of money to take their land. And I think they  
34 tried to emphasize that they're willing to lease land, but  
35 there's also the opportunity to buy or they'll take donations.  
36 And it's just -- it really cuts to the trust that a lot of  
37 local people have for the Federal government because they  
38 depend on the Federal government for protection of their land,  
39 and here is a Federal agency, on the other hand, offering to  
40 buy people's land. And this is just a great concern to local  
41 people.

42  
43 There's always a concern about land because once we  
44 give our land up, that's it. And if we started selling our  
45 land off in little chunks to the National Wildlife Refuges you  
46 can bet that we wouldn't be living there long. And we  
47 certainly wouldn't have the same subsistence opportunities that  
48 we have on our own land. And so there's a big problem here and  
49 I'm not doing a very good job of explaining all of the concerns  
50 that have come up locally, but it's a real big problem. I've

00021

1 called a lot of people and talked about it and -- actually  
2 there's been several resolutions passed in opposition to most  
3 of the ideas in this from a couple of communities in the Yukon  
4 Flats, the City Council in Fort Yukon and the Native Village of  
5 Fort Yukon. And I think there's going to be quite a rustle  
6 about this and anyone that comes after it, I guess.

7  
8 But one of the things that a lot of people looked at  
9 when they saw this was these really nice maps that they have in  
10 here and they identified areas as land protection priorities.  
11 And I'll hold it up so people can take a look. If you look at  
12 the red color. You can see everything in red on these maps  
13 right here lists the areas that are protection priorities and  
14 all this white area, of course, is the Yukon Flats National  
15 Wildlife Refuge and they've listed some of our prime land as  
16 protection priorities.

17  
18 And the things that they want to protect it from are  
19 things that our communities are interested in doing. Our  
20 communities are interested in development of timber resources,  
21 you know, our communities are interested in possibly building  
22 maybe some cabins to do some guiding. You know, there's really  
23 limited opportunity to make money and people are considering  
24 these things. And these are things that they want to protect  
25 this land against. They don't want these types of development.  
26 And there's a few other things in there that I'm not bringing  
27 up, I just don't remember them.

28  
29 But some things that are really important to the  
30 communities, and especially to our corporations, they're  
31 directly in conflict with this Protection Plan. And so I  
32 really do think that it can negatively affect the subsistence  
33 opportunities for local people, even though they say that it  
34 won't. I tend to disagree, so thank you. That's the only  
35 other thing, I think.

36  
37 MR. MATHEWS: Mr. Chairman, I think what Craig has  
38 brought up here would be something that, in fairness to the  
39 Refuge, in particular theirs, I would probably recommend that  
40 if the Council so desires to make it an agenda item for the  
41 fall meeting. I don't know the time line of this Land  
42 Protection Plan, but in fairness to the Refuge to present it  
43 and so you can see more of it. There was only one copy here,  
44 et cetera. And the whole concept of Land Protection Plans  
45 affects all refuges, correct?

46  
47 I was referring to the refuge manger to make sure that  
48 I understood that. So this would also apply to Tetlin. I'm  
49 drawing a blank what other refuges. Arctic National Wildlife  
50 Refuge which is in your region. Well, Koyukuk is in Western,

00022

1 but anyway, I would think that you may want to put this as an  
2 agenda topic for fall.

3  
4 And to make it clear why you can do that in ANILCA, it  
5 says that you can comment on management plans, and this would  
6 be considered an management plan at that time. And referring  
7 to the refuge, in particular, they did bring up this plan at  
8 the last meeting, but there wasn't a lot of time to go into  
9 detail on what was in the plan and all that.

10  
11 MR. P. TITUS: When are these three seats going to be  
12 filled? The three that are coming up?

13  
14 MR. MATHEWS: The three seats that are opened, you  
15 mean?

16  
17 MR. P. TITUS: Yeah.

18  
19 MR. MATHEWS: The three seats are the seats that are  
20 held by Lee Titus, Timothy Sam and Steven Ginnis. Those are  
21 the three seats that are up that the Secretary would either  
22 reappoint or appoint somebody new by the next meeting.

23  
24 MR. P. TITUS: What I'm concerned is they might be at  
25 the meeting and not be reappointed. They know all this stuff  
26 and the other guy that's appointed to the committee wouldn't  
27 know it.

28  
29 MR. MATHEWS: Oh, whoever gets appointed will hopefully  
30 know far enough ahead that they're appointed and, you know,  
31 that we send a lot of stuff out to you, so.....

32  
33 MR. P. TITUS: Well, you can see.....

34  
35 MR. MATHEWS: What you're referring to is the new  
36 member training, and in the past what we've done, which I  
37 assume there'll be funding for, is we would bring in the new  
38 members and train them. If this is a topic item, which I'm not  
39 sure it is. I'm hearing from one Council member it is. I  
40 think it would be charged upon me to make sure refuge staff is  
41 there to go over the basics of the Land Protection Plan, not  
42 the details of Tetlin or Yukon Flats, et cetera, but the basic  
43 philosophy and what the Land Protection Plan is designed for.  
44 And so they would up to speed as much as you possibly on Land  
45 Protection Plan. I think that answered Philip's question, I'm  
46 not sure.

47  
48 MR. G. SAM: Mr. Chair, is it possible that we can have  
49 it on this agenda for just an overview of what's going on  
50 because Tanana Chiefs, for example, we're trying to still

00023

1 figure out what this plan is all about and, you know, not in  
2 any really big detail but just to kind of go over what the plan  
3 is designed to do.

4

5 MR. MATHEWS: Well, Mr. Chairman, I could probably  
6 answer that. There are staff here from the refuge but there's  
7 been no time to prepare and we only have one document here,  
8 that I know of, so I don't know how we could do it justice at  
9 this time. Now, possibly the refuge manager and others could  
10 explain the general thing of a Land Protection Plan, but the  
11 details of the Yukon Flats, I'd have to consult with the Flats  
12 staff here -- there's no one prepared to do it.

13

14 CHAIRMAN MILLER: Go ahead, Craig.

15

16 MR. FLEENER: I was going to say, if they wanted to,  
17 maybe during the last.....

18

19 MR. MATHEWS: The agency?

20

21 MR. FLEENER: Yeah, during the agency reports, if Greg  
22 was willing to comment. Do you know much about the plan; do  
23 you have enough knowledge on the ends and outs of it to comment  
24 on it? Would that -- just a basic overview of the plan, is  
25 that what you're looking for?

26

27 MR. G. SAM: That would be fine.

28

29 MR. FLEENER: Yeah, if you would do it during agency  
30 comments, that would be good.

31

32 MR. MATHEWS: Okay, I'll not that we're going to add --  
33 well, I'll just note that we're going to add it to the agenda.

34

35 MR. FLEENER: Well, he -- you don't even have to add it  
36 to the agenda, he can just bring it up because he can bring up  
37 whatever he wants in agency reports.

38

39 MR. MATHEWS: Okay. I don't know if there's any other  
40 concerns. Craig had those two concerns of the Land Protection  
41 Plan and then management concerns on refuge.

42

43 CHAIRMAN MILLER: All right. Is there any more  
44 concerns?

45

46 (No audible responses)

47

48 CHAIRMAN MILLER: I guess we'll move on to additions or  
49 corrections to the agenda and agenda approval. Is there  
50 anything else anybody wants to add to the agenda?

00024

1 MR. NICHOLIA: I move to adopt the agenda.

2

3 MR. MATHEWS: For the public and staff, there's copies  
4 of the agenda on the table.

5

6 MR. P. TITUS: Second.

7

8 CHAIRMAN MILLER: Okay, it's been moved and seconded.

9

10 MR. NICHOLIA: Question.

11

12 CHAIRMAN MILLER: Question's been called. All in favor  
13 say aye.

14

15 IN UNISON: Aye.

16

17 CHAIRMAN MILLER: Opposed same sign.

18

19 (No opposing responses)

20

21 CHAIRMAN MILLER: That agenda is approved. Okay,  
22 reading and approval of October 15 and 16, Dot Lake meeting  
23 minutes. Maybe we'd like to take just a few minutes and read  
24 through these.

25

26 MR. FLEENER: Maybe we can go off the record for about  
27 five minutes and review it or something.

28

29 MR. MATHEWS: And when you look at those, the stuff  
30 that's gray was added in since the ones I mailed to you.

31

32 CHAIRMAN MILLER: Okay, we'll go off the record for  
33 about five minutes.

34

35 (Off record)

36

37 (On record)

38

39 CHAIRMAN MILLER: Call this meeting back to order.  
40 And I would also reflect in the record that Lee Titus showed  
41 up.

42

43 MR. P. TITUS: Move to adopt the minutes.

44

45 CHAIRMAN MILLER: Okay, there's a motion to adopt the  
46 minutes.

47

48 MR. GOOD: I'll second that.

49

50 MR. FLEENER: There's only one change that I saw in



00025

1 here and I think Vince is going to take care of it. Where  
2 Steve Ginnis was telling me about reporting this motion for the  
3 -- I don't even know where it's at anymore, but Steve Ginnis  
4 mentioned supporting this wood bison thing and same letter for  
5 beaver.

6  
7 MR. MATHEWS: It's on page five, the middle of the  
8 page.

9  
10 MR. FLEENER: Page five, yeah. It says here that his  
11 support is tribal management of the herd, but his letter and  
12 the resolution from Fort Yukon it says tribal co-management and  
13 I just wanted to make sure that everyone knows that they're  
14 willing to do co-management, not just management. So I just  
15 wanted to clarify that one point, if you would make that.....

16  
17 UNIDENTIFIED VOICE: (Indiscernible - too soft)

18  
19 MR. FLEENER: It says in the second paragraph, yeah,  
20 but I just wanted to make sure that it meant co-management not  
21 management.

22  
23 MR. P. TITUS: Where was that at?

24  
25 CHAIRMAN MILLER: Page five.

26  
27 MR. P. TITUS: Where you insert the co-management at?

28  
29 MR. FLEENER: Insert the letters co and dash.

30  
31 MR. P. TITUS: Okay, I got it.

32  
33 CHAIRMAN MILLER: Okay, is there any other changes?  
34 (Pause) Okay, there's been a motion and a second to accept the  
35 agenda. All in favor say aye.

36  
37 IN UNISON: Aye.

38  
39 CHAIRMAN MILLER: Opposed same sign.

40  
41 (No opposing responses)

42  
43 CHAIRMAN MILLER: The agenda is accepted.

44  
45 MR. P. TITUS: Minutes.

46  
47 CHAIRMAN MILLER: Or the minutes are accepted. Okay,  
48 we're down to the Chair's reports now.

49  
50 On the 20th of January, we had meeting that was in

00026

1 Anchorage and I couldn't make it down there so I met over the  
2 phone. It was joint meeting between South Central and Eastern  
3 Interior. The members from Southcentral that were present were  
4 Fred John, Jr. and Roy Ewan. And members from the Eastern  
5 Interior was Nat Good and myself. There was some resolutions  
6 that affect both areas, and that was the reason for this  
7 meeting, to kind of hash out, you know, to see who got joint  
8 support on these resolutions. And we'll be going over those  
9 resolutions here later on, so there's really no need to get  
10 into those right now.

11  
12 And there's a -- also a fisheries subcommittee meeting  
13 which I attended in part because we had trouble with the phone,  
14 so I don't know if Vince or somebody wants to say anything  
15 about the fisheries meeting.

16  
17 MR. MATHEWS: Well, I can -- because Craig was also  
18 present and Nat and Gerald. We had a subcommittee meeting on  
19 fisheries and Tom Boyd and Rosa Meehan were also present along  
20 with the fisheries biologists and went through a overview of  
21 the Proposed Rule to assist the Council in its review of it at  
22 this meeting.

23  
24 The final outcome of the meeting was that the  
25 subcommittee would, if needed, look closer at the regulations  
26 and see if there would be a need for another meeting of the  
27 subcommittee or bring forth their individual concerns to this  
28 group. And so that was the conclusion of the meeting, in  
29 addition to the fact that the subcommittee members would talk  
30 amongst their area and villages about any concerns on the  
31 pending Federal fisheries for subsistence.

32  
33 So that was the final outcome, it was a good dialogue.  
34 I know the staff was real pleased with the conversation and, I  
35 believe, talking to several of the committee members they also  
36 did. And maybe they want to speak individually, too.

37  
38 CHAIRMAN MILLER: Go ahead, Craig.

39  
40 MR. FLEENER: I keep want to grab the mike but I was  
41 told it was too close to me, so I better not. The concerns  
42 that I had -- or some of the concerns, because I don't remember  
43 them all but -- were regulations and how we should go about  
44 looking at the fisheries regulations and if we should consider  
45 just adopting them all, like we did the State hunting  
46 regulations and I had a lot of questions about that because the  
47 Federal systems been going through and changing regulations, a  
48 lot of regulations. I mean, instead of just keeping the State  
49 regulations.

50

00027

1           And I was wondering if we should have a committee get  
2 together of some sort -- a committee of some sort get together  
3 and look at all the regulations and come back with some sort of  
4 analysis on the regulations and which ones don't apply,  
5 wouldn't apply, should be dropped right away, so there's a lot  
6 less to deal with because, for one thing, if the Federal  
7 government takes over they're going to be managing pieces of  
8 rivers, not entire rivers. So all of the regulations are going  
9 to have to be changed just to address those pieces of rivers  
10 that they're going to be managing.

11  
12           And that goes into my next concern, which is how in the  
13 world do you manage pieces of rivers? And nobody really had an  
14 answer, everybody kind of -- I could hear it over the phone  
15 that everybody shrugged. So that's a real hard one to deal  
16 with. I mean, that's something that we need to consider is how  
17 we going to effectively manage pieces of rivers. And this  
18 means we're going to have to work very closely with the people  
19 that are managing up river and down river.

20  
21           And one of the final concerns that I had was what if we  
22 determine, and this was kind of a scary question, brought up  
23 again last night at the meeting in Tok, but what if we  
24 determine that a problem with the fishery is because of the  
25 offshore fishery, will the Federal government be willing to go  
26 out there and do something about it. And nobody really knows,  
27 but that's something that needs to be thought about. If people  
28 genuinely think that the problem is offshore fishery, which  
29 probably takes the majority of the fish, I would think, but  
30 that was another concern. And all of these concerns I didn't  
31 really get any answers for, which I really didn't expect but  
32 these are things we need to consider going into this type of a  
33 new era.

34  
35           So that's my comment on that meeting.

36  
37           MR. NICHOLIA: I have something to say, too.

38  
39           CHAIRMAN MILLER: Go ahead, Gerald.

40  
41           MR. NICHOLIA: If the Federal are going to take over  
42 management on Federal lands and on there, I'd say -- I'd like  
43 to include grass roots reputation (sic) from the existing  
44 Boards and the fishing associations, that way we wouldn't be  
45 just totally really starting over from scratch, that way we'll  
46 have some, more or less, input that's already established.

47  
48           CHAIRMAN MILLER: Nat.

49  
50           MR. GOOD: Well, where we are right now, basically, is

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1 that nothing will change since we're going -- if we're setting  
2 up to adopt the present State, the status quo, essentially, and  
3 from that point on, I think, you'll have to look at individual  
4 areas to see what changes the local people are going to request  
5 for their areas. For their stretch of the river, as Craig was  
6 putting it. And that's pretty accurate really, you know. I  
7 think the changes are going to have to be based on small  
8 geographic areas and yet whoever is making the decision will  
9 have to be considering the entire drainages or, you know,  
10 particular river systems as they work on any changes that  
11 they're going to make.

12  
13 MR. P. TITUS: I got comment on these fisheries. I've  
14 been dealing with the State Advisory Committee since the '70s  
15 and before YRFDA was formed we were constantly battling with  
16 the up river and down river fishing and over fish. And finally  
17 got YRFDA organized where all the fishermen on the Yukon River  
18 drainage consent to work together on this and it seems to be a  
19 better thing than constantly fighting with each other. Because  
20 they way it was we were just like -- I mean, Craig said, we  
21 were so concerned about our own section of the river and  
22 everybody else was too and we were constantly getting nowhere.  
23 Everybody was getting nowhere until YRFDA was organized and --  
24 I would like -- I hate to see it go back to the way it was  
25 because we just be back to square one, treading water, getting  
26 nowhere. I got much more information on YRFDA for later.

27  
28 MR. MATHEWS: Mr. Chairman.

29  
30 CHAIRMAN MILLER: Vince.

31  
32 MR. MATHEWS: I think in looking at timelines and et  
33 cetera, I've captured these comments that have been shared  
34 right now, but I think we need to revisit those when we have  
35 the full presentation on fisheries. At this time we were just  
36 going to talk about subcommittee. And I know that these are  
37 important and we've got them here, but I think we need to save  
38 that when we have the full presentation so the public can track  
39 along also.

40  
41 MR. FLEENER: I think we're just basically bringing out  
42 topics, or mostly anyways, that we discussed at the meeting.

43  
44 CHAIRMAN MILLER: Okay, is there any other member  
45 reports?

46  
47 MR. MATHEWS: The only other report we have is co-  
48 management subcommittee. Now they didn't meet. The directive  
49 from the last meeting was to send out the co-management  
50 concept. The draft went out to all the villages. That was

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1 sent out to everyone, I don't know the date of it in here, but  
2 it'll come up with Annual Report. We didn't get a single  
3 response from any of the communities. And I expanded the  
4 mailing list beyond village and tribal, it went to others also.  
5 And there's been no comments on it. Now, there's been  
6 additional requests for copies, but no comments. So I suppose  
7 that could be considered a committee report, because the  
8 committee didn't need to meet because there was nothing to  
9 change. But that's the only other committee that you have kind  
10 of pending out there.

11

12 CHAIRMAN MILLER: Craig.

13

14 MR. FLEENER: I talked to several of the council  
15 members from the Native Village of Fort Yukon and they were --  
16 although they had some interest in the wording, they were  
17 pretty satisfied and actually wanted to use part of the  
18 definition in some of the stuff that they were doing. So  
19 there's some favor, at least, from the Native Village of Fort  
20 Yukon, although there are still some concerns about the  
21 working.

22

23 MR. MATHEWS: I think what we could do is -- I don't  
24 want to keep putting things off, that's not my intent, but when  
25 we do Annual Report we have to address this co-management  
26 concept, that I think at that time we will go into it in  
27 detail.

28

29 What I'm trying to do is as the room gets more and more  
30 staff in it, they're here for proposals, so I'm trying to keep  
31 our timeline balanced on proposals and action items.

32

33 CHAIRMAN MILLER: Okay, is there any other member  
34 reports?

35

36 (No audible responses)

37

38 MR. MATHEWS: Okay, I think the brings us up to  
39 proposals and I need to confirm with each member that you have  
40 a blue sheet, that gives you a table of contents. I think it  
41 was passed out on you table. If you could find that. It's not  
42 critical but it may help. Lee doesn't have one. It looks like  
43 this. What these are is just a table of contents as we walk  
44 through proposals.

45

46 MR. P. TITUS: I don't got one. Nobody got one.

47

48 MR. MATHEWS: Okay, you're getting one. Philip, there  
49 was a miscommunication. For the public, there's a few extra  
50 copies back there and we'll try to track along. The reason you

00030

1 have this is because proposal numbers are not being taken up in  
2 sequence, but they way they're going to be taken up is in  
3 sequence under Tab Q, so it might be wise right now to turn to  
4 Tab Q, okay? And then we'll get ready for staff to charge  
5 ahead here.

6  
7 If you look under Tab Q, there's a page in there that  
8 tells you a little introductory, then you get into this chart,  
9 that looks like this, on page two and three. That's the order  
10 we're taking them up. Now I have extra handouts of those if  
11 you want them separate, but the chart is in there for a couple  
12 of reasons. One, to track along, but if you want to write down  
13 what action you took on Proposal 100 you can, so if you go back  
14 to the village and someone says "what did you do with the Healy  
15 Lake proposal dealing with sheep?" You can look at this chart  
16 and say, we did this, okay? That's up to you how to use the  
17 chart, but that's the way I designed it for tracking purposes.

18  
19 So we're going to go -- unless there's a change for  
20 staffing or other timing reasons, we're going to use that  
21 chart. For the public, there's extra copies in the back. So  
22 that's what's in there. So if you turn to page nine, actually  
23 page eight. And I need to move to another location to get set  
24 up and then we'll be on our way with proposal, I think.

25  
26 MR. P. TITUS: Is there a map on this Unit 12?

27  
28 MR. FLEENER: That's what he's going to do.

29  
30 MR. MATHEWS: Yeah, that's what I'm going to do next,  
31 the map.

32  
33 MR. P. TITUS: Okay.

34  
35 MR. MATHEWS: The intent of all these overheads is to  
36 assist with moving us in a timely manner. If it doesn't work,  
37 I'm not going to be offended not to put these up there, okay.  
38 So the intent is to move along, keep people focused. We're on  
39 Proposal 95. Remember when we went over the agenda, the way  
40 we're going to it is I introduce it, then the analysis, then  
41 the agency comments and then summary of written comments, then  
42 open to the floor to come up to the mike and then deliberation,  
43 okay. If there's a need for maps, I have maps of the units, I  
44 do not have maps from the analysis itself, so.....

45  
46 MR. NICHOLIA: We got our books if we need maps.

47  
48 MR. MATHEWS: And you have in your blue book and in the  
49 State regulation book, maps there, so that's where we're going.  
50 So I'll deal with 95 if everybody is on track.

00031

1 All right, 95 deals with Unit 12, black bear. It's  
2 requesting to revise the customary and traditional use  
3 determination for that unit. The proposed regulation is to  
4 change it from a no determination, all rural residents, to  
5 rural residents of Chistochina and Mentasta.

6  
7 And with that I'll turn it over to.....  
8

9 MR. SHERROD: I guess I'm up. I'm sorry. I'd like to  
10 -- we got a lot of proposals today, I'd like to make some  
11 opening remarks. We have to think of this, this is an ongoing  
12 process. The staff has drafted these analysis based on the  
13 knowledge we have available to us. Your input is critical to  
14 this. We are the first of the Councils meeting and we have a  
15 lot of time to work stuff in and change it. So what I'm  
16 proposing, because I think we have close to -- well, a lot of  
17 them, maybe 50 or 60 proposals, is that I lay out the question.  
18 I'm assuming you guys have read through this very interesting  
19 book. That I will lay out what the proposals do. I will  
20 discuss the analysis in terms of particularly the conclusions.  
21 And if you guys have heartburn or objections or want to hear  
22 more then we'll go in deeper detail. Yes.

23  
24 MR. P. TITUS: You going to do this to every proposal,  
25 50-60 proposals?  
26

27 MR. SHERROD: That's why I'm trying to make it short.  
28 What I'm talking about here is trying to shorten the process.  
29 And, as I say, if I lay it out, I lay out the conclusions, if  
30 you guys feel that something is missing then we can go into it.  
31 If you feel that it's not missing then you need to take action  
32 on it. And it's important that you keep in mind the three main  
33 phrases that Vince -- that, you know, that you find this  
34 proposal acceptable because it's not detrimental to the  
35 species, it's not detrimental to subsistence. What's the other  
36 one?

37  
38 MR. MATHEWS: Substantial evidence.....  
39

40 MR. SHERROD: Oh, that the evidence supports it, okay.  
41 So with this -- and I'll also state that a lot of proposals --  
42 some of these I didn't write and I may have some suggestions to  
43 you as to maybe the conclusion should be modified a bit, and  
44 that is within your realm to suggest that.

45  
46 But anyway, we're going to deal with black bear, Unit  
47 12, now. This is Proposal 95 and this is one of the many black  
48 bear proposals where we go basically from a no determination,  
49 anyone in the state can hunt, to refining that determination to  
50 people that are basically proximal to the resource or the area.

00032

1 Functionally it makes no difference because our bag limits and  
2 seasons are the same as the States, quite liberal, three bears  
3 any time of the year.

4  
5 This proposal would go from any rural resident in Unit  
6 12 to the rural residents of Chistochina and Mentasta. The  
7 conclusion, if you switch to page 24, was basically to adopt  
8 the proposal with the modification that rural residents of Unit  
9 12, Dot Lake, Chistochina and Mentasta should be given a  
10 positive determination for black bear in Unit 12.

11  
12 And I'm going to interject in here, we are going to be  
13 dealing, later on, with a number of proposals that address  
14 Healy Lake and whether Healy Lake should be considered as  
15 having a positive c&t for Unit 12. If that is the wishes, I  
16 would suggest that we should, perhaps, inject Healy Lake into  
17 this. This and a couple more that we're going to deal with,  
18 I'm going to make the suggestion, and this is the logic of the  
19 thing. Is that the black bear proposals should mirror at least  
20 the moose proposals because black bear are taken  
21 opportunistically while people are hunting moose. And if we  
22 have -- so they should at least be as liberal as the moose  
23 determination in our book.

24  
25 And with that, unless there's any more questions on  
26 this proposal, I'll turn it over to you guys.

27  
28 MR. FLEENER: Mr. Chairman, could we get a remark from  
29 Pat Saylor back there on Healy Lake?

30  
31 CHAIRMAN MILLER: Come up to the mike, Pat.

32  
33 MR. SAYLOR: Is that on black bear proposal?

34  
35 MR. FLEENER: Yeah, it's Proposal 95.

36  
37 CHAIRMAN MILLER: The remark here was that perhaps  
38 Healy Lake should be added in as well as Dot Lake to hunt black  
39 bear in Unit 12.

40  
41 MR. SAYLOR: Yeah, that would be good. In the spring  
42 we do a lot of traveling. I mean a lot of our -- we have  
43 people that are enrolled and stuff, even in Healy Lake live up  
44 here and stuff, go back and forth. Some spring hunt with us  
45 and fall hunt with us. I mean, they are enrolled to our  
46 village and stuff, but they live up here and back and forth,  
47 you know. We're not sure from Fort Yukon villages and been  
48 told -- and that would be the same thing. We do the same thing  
49 there. We get the opportunity, we take it.

50



00033

1 MR. FLEENER: Well, I have a comment and I'll probably  
2 make it on all of these. If there's a c&t determination with  
3 one or two or three communities, I'm always going to ask the  
4 same question. This will limit other people, other rural  
5 communities in the area and I still overwhelmingly support the  
6 idea of regionalizing c&t determinations. If we just adopted  
7 this with these two communities then other communities in Unit  
8 12 would not be able to harvest this black bear; is that  
9 correct?

10  
11 MR. SHERROD: Under Federal regulations. And again,  
12 this is an ongoing process, anyone can ask for modifications of  
13 it next year. As I say, my only advise would be that I think  
14 it's logical to have the black bear proposal mirror the  
15 positive determinations we already have for, like, moose and  
16 caribou and so on.

17  
18 MR. GOOD: And this one does include all rural  
19 residents of Unit 12 and it's adding some people from outside  
20 of Unit 12. Do we need a motion to add Healy Lake to this?

21  
22 MR. FLEENER: It's just Unit 12 though, what about  
23 people that want to come from the unit next door that -- like  
24 he's talking about there, you know, what happens if there's a  
25 community a little bit further away?

26  
27 MR. GOOD: Yeah, both Dot Lake and Healy Lake are in  
28 20(D), so this is to bring them in here. And Mentasta, you  
29 know, they're coming up from.....

30  
31 MR. FLEENER: I realize that. But what we've talked  
32 about in the Council before -- we might as well just talk about  
33 this just a little bit now because it's going to come up time  
34 and time again if we don't talk about it a little now. One of  
35 the goals we talked about, and it's something that is still --  
36 I still like the idea is regional c&t determinations for these  
37 communities.

38  
39 And as you look at the proposal here, these people that  
40 requested this proposal aren't limited right now, they can go  
41 out and get these bears, but it's the c&t miscommunication, the  
42 misnomer about what c&t is and with a c&t determination people  
43 think that they're being left out. And actually when you adopt  
44 a c&t determination you do leave people out. Once you say this  
45 community or these two or these three communities have c&t  
46 determinations then you exclude everyone that isn't included.

47  
48 And so one of the things we talked about in this  
49 Council and one of the -- and it's been talked about a lot, and  
50 I've talked about it is regionalizing c&t determinations so

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1 you're next door neighbor doesn't have to worry about not being  
2 able to come down there and shoot a black bear. And that's  
3 what -- you know if I was to make any kind of a change on this,  
4 I would say make it regionalized. You know, everybody within  
5 the region has a c&t determination down there. All the rural  
6 residents anyways. Or however that's supposed to go.

7  
8 CHAIRMAN MILLER: I like that idea.

9  
10 MR. FLEENER: That's what we've been talking about and  
11 we made a motion at the last meeting to change the very first  
12 proposal that came up to do that, but it didn't -- something  
13 happened, you know, we weren't able to talk to the communities,  
14 so it just reverted back. But the first one we did was at the  
15 last meeting, we said, yes, let's make it regional. Because  
16 it's not going to change anything. This is just going to limit  
17 people, this isn't going to give anyone more opportunity. All  
18 the c&t determination does is limits people.

19  
20 CHAIRMAN MILLER: Okay.

21  
22 MS. DETWILER: I would say that if you're going to  
23 consider regionalizing the one thing you should know is that  
24 the way regulations are written the c&t determinations are done  
25 by community or area, so that's what the Board is going to look  
26 at is the c&t determinations because the eight factors by  
27 community or area.

28  
29 MR. FLEENER: I realize that and that's part of the  
30 thing that we've been batting around is how this is going to be  
31 done. But we've talking about it, I think we presented  
32 something to the Board already, our interest in doing regional  
33 c&ts and so it's still something that's on my mind and I'm not  
34 going to stop talking about it until we start doing it. You  
35 know, Stevens Village put in a c&t for black bear for the next  
36 unit that was in Western Interior and that would have left  
37 everybody in Western Interior out except Stevens Village.

38  
39 So people are not understanding what c&t determinations  
40 are. And so we need to get them solved, you know, we need to  
41 get them solved right away. Instead of saying let's do it  
42 tomorrow, let's let Staff Committee review it again, we need to  
43 just say -- because we're not changing anything really. These  
44 people are not going to left out. They want people to know  
45 that they customarily and traditionally use these animals for  
46 these reasons, that's what this proposals says if you look at  
47 it.

48  
49 Reason for changing regulation. Ahtna people have  
50 customarily and traditionally used black bear for clothing,

00035

1 food, candles and medicine and should be able to continue to  
2 have c&t use of this species.

3  
4 Actually the c&t use of the species hasn't stopped,  
5 they still have the opportunity with the existing regulation.  
6 But the c&t craziness is out there because people are thinking,  
7 gee, I don't have a c&t determination, that means I'm being  
8 left out when, in fact, they're not. They're not being  
9 limited, but it's -- the whole c&t thing is crazy, that's why  
10 we ought to do regional c&t determinations. We talked about  
11 this the last meeting and the meeting before that.

12  
13 MR. GOOD: And I'm in agreement, first, I want to say  
14 that. Second, I want to back up what you just said. The  
15 meeting that we held between 2 and 9, you know, with the  
16 Southcentral and Eastern Interior, we had an interesting  
17 discussion with people that came in representing the Copper  
18 River Native Association. And what they were doing was  
19 proposing a whole string of -- and doing precisely what you  
20 said, they were looking for c&t recognition, but were pointing  
21 out that in return what they were doing was cutting everybody  
22 else out and reserving it for themselves and they stated, right  
23 up front, that no, that was not their intent to do so, that  
24 maybe they would have to rewrite these things. They were not  
25 looking to exclude everybody else.

26  
27 And I said, well, I'm really glad you're here to  
28 discuss this face-to-face because reading this I would have  
29 thought you were out to (indiscernible - interrupted).....

30  
31 MR. FLEENER: No one in our region has submitted a c&t  
32 that wanted to exclude other people. Stevens Village didn't  
33 have that intent and they talked about it. Randy Mayo said "we  
34 don't want to exclude people, we just want to make sure  
35 everybody knows that this is our customary and traditional  
36 area." And so if we do it regionally we won't have that  
37 concern anymore, we won't be excluding people. And so if  
38 people from Tetlin or whoever, whatever other community that,  
39 you know, might want to come down. You know, people from Fort  
40 Yukon hunt on the other side of the Canadian border and if we  
41 had to c&t determinations, you know, we wouldn't be able to go  
42 hunt on the other side of the border.

43  
44 MR. GOOD: Well, I guess what we're looking at here is  
45 a definition of the areas, you know. In a sense we've defined  
46 an area here with this proposal. We've extended it beyond Unit  
47 12, brought other people in, but do we need to define different  
48 areas?

49  
50 MR. FLEENER: I would just say, don't make it Unit 12

00036

1 or don't put a name on it, just say everybody in Region 9 or  
2 whatever, all rural residents in Region 9 have a c&t  
3 determination for black bear in all of Region 9 because, you  
4 know, people have traveled all over the place and people shot  
5 black bears all over the place. And if you say you only have a  
6 c&t for Unit 12 that just limits you. And if you say all the  
7 rural residents from Region 9 have c&t for black bear in Region  
8 9 then they won't be limited, except for going into other  
9 regions. But -- which people from Tanana might be concerned  
10 about because they live right on the boundary. But we can't  
11 make the other regions do it that way, but I've been in contact  
12 with them.

13

14 MR. NICHOLIA: We should have like revised for  
15 customary and tradition use not excluding other -- something  
16 like that instead of just trying to say just for Mentasta and  
17 Chistochina.

18

19 MR. FLEENER: Well, what would the wording be on this,  
20 Vince or George, to include everyone in Region 9?

21

22 MR. MATHEWS: Well, essentially what you said, there  
23 would end up being the wording. We'd have to define the  
24 areas.....

25

26 MR. FLEENER: Well, Region 9 we're talking about.

27

28 MR. MATHEWS: Correct.

29

30 MR. FLEENER: The rural residents of Region 9, that's  
31 the only thing we have control over.

32

33 MR. MATHEWS: I doubt the Board would pass it, I'll be  
34 honest with you on that, because they're based on, like, I  
35 believe what you said, GMU boundaries and by species and what  
36 you're asking for is by areas.

37

38 MR. FLEENER: The (indiscernible - simultaneous speech)  
39 are not bounded by GMU. I mean, I got relatives that poach on  
40 the other side of the line all the time. And the only reason  
41 they're poacher is the law says that they're not c&t, they  
42 don't have a c&t determination.

43

44 MR. NICHOLIA: But we have to be careful about this  
45 Region 9 because this whole region is different in all areas  
46 from here to this area, maybe we should have, like, a region  
47 down here, could be this whole region, like this whole region  
48 down this side, down by the Yukon area, Rampart, that could be  
49 another region, up from Rampart, that could be a different  
50 region. We can't.....

00037

1 MR. FLEENER: That's a possibility also.

2

3 MR. NICHOLIA: .....include this whole region, it's not  
4 going to be feasible to the Federal Subsistence Board.

5

6 MR. SAYLOR: Sure would simplify all this stuff  
7 that.....

8

9 MR. FLEENER: Yeah, it would simplify everything, but  
10 he's right about the Board.

11

12 MR. L. TITUS: I don't know if anybody was dealing with  
13 a lot of other different proposals too. But speaking  
14 specifically to Proposal 95, I have no -- I don't have nothing  
15 against the way that the staff recommendation to adopt it with  
16 modification. I don't know, it seems like we're going more and  
17 more in the direction of just keeping masses and go along with  
18 State subsistence law, you know. And that's what I think that  
19 we're talking towards, to include everybody.

20

21 MR. GOOD: What you're saying here really, since  
22 Chistochina and Mentasta aren't really in the Interior you  
23 would be excluding them by making it Interior, but if it was  
24 originally Unit 12, black bear, no determination, all rural  
25 residents then everybody does have access to it.

26

27 MR. FLEENER: That's the way it is, but people want  
28 recognition for the c&t thing. And one thing I'd like to point  
29 out, Lee, is that the c&t thing is actually a State -- that is  
30 a State -- that's State wording, that came out of the State.  
31 There were c&t determinations before the Federal government got  
32 involved with this, so this isn't -- you know, if we got out of  
33 the c&t business we would be getting out of State business  
34 because that's actually State stuff. And that didn't come out  
35 of the Federal operation, they included it because the State --  
36 go ahead, am I wrong?

37

38 MS. DETWILER: No. No.

39

40 MR. FLEENER: Whew, I thought I was wrong, I saw a hand  
41 go up. Go ahead.

42

43 MS. DETWILER: I just trying to figure out a way to  
44 accommodate what you're trying do. If I understand it, you  
45 want all the communities and areas within your region to remain  
46 qualified for c&t, so what you could do and keep it within the  
47 terms that the Board does use when it has to justify its  
48 determinations is use the same terminology that they use and  
49 say -- just list all of the communities that are within Region  
50 9 and also the GMUs -- all the units and just revise that to

00038

1 say, you know, Unit 12, black bear, all rural residents of  
2 units -- however many units there are and then list all of the  
3 communities as well. That would accomplish the same thing.

4  
5 I don't think -- I think the Board has never issued a  
6 c&t determination that is based on a region, they do it by unit  
7 or by community, so.....

8  
9 MR. FLEENER: And that's been a real problem because  
10 people are just recently community bounded. You know, 50 years  
11 ago people weren't living in these communities, they were  
12 traveling all over the place.

13  
14 MS. DETWILER: So if you were going to propose that,  
15 that's certainly within your prerogative to propose, you know,  
16 whatever you want to do, but since the Board hasn't done it  
17 before there's no guarantee that they're going to break with  
18 their tradition to do it again, so the other way might  
19 accommodate (indiscernible).....

20  
21 MR. FLEENER: Well, maybe to address what Gerald  
22 brought up then, which is a good thing to consider is maybe the  
23 adjacent subunits, at least, or not subunits, but the adjacent  
24 units, at least, that way you're not bringing people -- that  
25 way there wouldn't be the perception that, gee, why do people  
26 from Arctic Village hunting have a determination down at Tok or  
27 whatever, but if we were to, at least, do something more on a  
28 regionalized basis, which is how people lived in the old days,  
29 that would -- and how a lot of people still live today, that  
30 would accommodate a lot of -- and that would get rid of a lot  
31 of problems and I think it would accommodate our needs.

32  
33 MR. P. TITUS: I agree with Craig and if you look at  
34 Proposal 96 it's just the same proposal as 95 except it says  
35 brown bear. Are we going to have another 20 minute discussion  
36 on the same situation.

37  
38 MR. FLEENER: No, that's why we're talking about it  
39 now. Once we talked about this now we won't have to talk about  
40 again. That's why I figured it would be good to take 15  
41 minutes to talk about it now and get it out of the way.

42  
43 MR. NICHOLIA: One thing I see on a lot of these  
44 proposals, they're mostly like one unit is trying to have a c&t  
45 use in the other unit and this is -- all these units down here  
46 are pretty much the local units, and then they should have one  
47 -- like this one whole area down here, all these units should  
48 be one area for c&t use. Most of these tribes are pretty much  
49 closely related.

50

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1 MR. FLEENER: Well, maybe that's the way we can do it  
2 then is the unit that they're requesting and all adjacent  
3 units. The unit bounded -- the next unit over that touches it  
4 because that would fit a little bit better.

5  
6 How does that sound? We would have to still put those  
7 communities in there, but we don't have to say that right now,  
8 maybe just say.....

9  
10 MS. DETWILER: Right. But when the Board does evaluate  
11 it, they're going to -- they're bound by the regulations to do  
12 it by community or area and they're going to have to go through  
13 the eight factors for each of those communities and areas. So  
14 to increase the chances that the Board adopts your proposal it  
15 would be good to have on the record the substantial evidence  
16 that you need to support all those communities that you wanted  
17 to include. So, in other words, instead of doing a blanket,  
18 just include all the Unit 12 communities or whatever. It's  
19 better to have more substantial information to justify why you  
20 want to that.

21  
22 MR. FLEENER: Well, we need to get that evidence, I  
23 guess. But whose job is that? Not mine. Although I do call  
24 people when there are proposals who is going to get that  
25 information if we make this recommendation?

26  
27 MR. NICHOLIA: There is some evidence in here that says  
28 there's a distinctive line between Fairbanks, this side and  
29 then Fairbanks, that side. This says that there's traditional  
30 evidence in here already. We could have area from that side  
31 there, but we could not so much as cut out people, but we could  
32 include these people right now. We could leave it open for  
33 other communities to be included later, so we don't have to  
34 be.....

35  
36 MR. FLEENER: But the minute you mention c&t  
37 determination you cut out people.

38  
39 MR. NICHOLIA: But that would be one way we could deal  
40 with that, is not to exclude but other communities can be  
41 included later with our intentional (sic).

42  
43 MR. FLEENER: Well, that's the -- this proposal is  
44 written so people can be included later on, because like George  
45 pointed out, you can still put in a proposal next year. But  
46 what it does is it just draws a line. If there's a community  
47 that they forgot about who traditionally hunted down there or  
48 has whatever determination -- I mean, not determination but has  
49 traditionally harvested something down there and can prove it  
50 or whatever, and they're left out it just draws a line and it

00040

1 says, we have a right to hunt here, but you don't, even though  
2 they may have hunted there. So at least for that year you  
3 leave them out. That's what c&t determinations do.

4  
5 And it doesn't stop nonrural residents from going in  
6 there an hunting, it just stops other rural residents. Someone  
7 from Fairbanks could still go in there and hunt under State  
8 regulations or something like that, so you're really only  
9 hurting your next door -- your village guy down the road,  
10 that's the only person you're hurting with these c&t  
11 determinations. That's why I support a regional determination.

12  
13 CHAIRMAN MILLER: Go ahead, Vince.

14  
15 MR. FLEENER: Solve it, Vince.

16  
17 MR. MATHEWS: Well, no, I can't solve it. I suppose at  
18 this point I need to know does all of the Council members  
19 understand the discussion that's going on what c&ts do or don't  
20 do, because maybe we need to go back to that and start from  
21 there. Because what you're asking for is essentially a global  
22 change that would affect all of the proposals from here on out.  
23 And I've already been.....

24  
25 MR. FLEENER: That's what I suggested two meetings ago  
26 and last meeting and I'm suggesting it again this meeting.

27  
28 MR. MATHEWS: But I don't know if all the Council  
29 members, and I've already had my ear pulled by agencies that  
30 they want to comment specifically about 95 so we can't ignore  
31 that. And they're also probably going to want to comment about  
32 if this global -- well, not global, regional approach goes  
33 forward, they probably also want to comment on that. So I  
34 don't know if you want to have a brief background on c&ts or  
35 you're comfortable with your knowledge of c&ts.

36  
37 MR. FLEENER: Well, we had about a two hour talk on  
38 c&ts the last meeting, didn't we?

39  
40 MR. MATHEWS: If you're comfortable then I'll drop  
41 that, but then maybe.....

42  
43 MR. FLEENER: Unless other people still feel the need  
44 to have another brush up, but we talked about it for quite a  
45 while at the last meeting.

46  
47 MR. GOOD: You know this is a perfect one to discuss it  
48 with because right now everybody has the opportunity here  
49 because it does say "no determination". The question is, why  
50 do we want to change it?



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1 MR. FLEENER: Well, the thing is, like I said, that  
2 people in these areas want people to know that they customarily  
3 and traditionally hunted these animals and that's why they want  
4 their names.....

5  
6 MR. GOOD: Right.

7  
8 MR. FLEENER: .....put in the book and acknowledged  
9 that they customarily and traditionally harvested these  
10 animals. If it's not there, they still can go hunt, there's  
11 nothing stopping them, but because of the way the c&t thing has  
12 been written up people feel like they're being left out.

13  
14 MR. P. TITUS: Well, we could modify it and put all the  
15 communities in that.

16  
17 MR. FLEENER: Well, that's what she's talking about.  
18 If we do that they might not adopt it because -- so we need to  
19 work out some -- I don't want to keep going year in and year  
20 out saying we need to do this, but don't do it because we're  
21 afraid the Board's not going to adopt it.

22  
23 MR. GOOD: But in the discussion with the Copper River  
24 Native Association that -- what you're saying is precisely what  
25 they said, that we just would like to have ourselves  
26 recognized. And maybe we need another format for this  
27 recognition, something outside of our regulations, some  
28 nonregulatory that stands beside it and recognizes these  
29 communities. But the question really becomes the very basic,  
30 why do we want to change from no determination, all rural  
31 residents, why do we want to reduce it?

32  
33 MR. FLEENER: Yeah.

34  
35 MR. GOOD: Is it really -- is there a reason to do  
36 this?

37  
38 MR. FLEENER: None, other than acknowledging someone's  
39 c&t use, that's the only thing it does. It doesn't give them  
40 more rights, it doesn't give them -- it doesn't give them less  
41 rights, but it gives their next door neighbor less rights.

42  
43 MR. G. SAM: Mr. Chair, last year we had TCC had to  
44 deal with this c&t determination for the proposal that Stevens  
45 Village put through for black bear and brown bear. And what  
46 that did was put us in the pretty awkward position -- according  
47 to our by-laws we're not allowed to appoint one community for  
48 another community's determination, you know. And it basically  
49 had to -- it came down to where I was arguing against Stevens  
50 Village, saying, no, you can't do that because it's put in GMU

00042

1 24 and what it basically did was eliminate all those people  
2 down there saying, you no longer hunt black bear then. And it  
3 because a big, big issue and I didn't -- actually I'm starting  
4 to think about it, what is the real problem with having the  
5 regional c&t determination? I mean I just couldn't see that  
6 actually.

7  
8 I mean would all the units have to agree to this or is  
9 this something that is Federal?

10  
11 MR. FLEENER: Well, I don't think that everybody would  
12 have to agree to it because as the regulations sit now, no  
13 determination, nobody's agreed to it or disagreed to that, so  
14 why would we have to agree to c&t determination?

15  
16 MR. G. SAM: Well, then what's the real problem here?

17  
18 MR. FLEENER: The real problem is that c&t excludes the  
19 next door neighbor like you were talking about Unit 24. And if  
20 we just say everybody in Region 9 just automatically has it,  
21 Sue said that the Board might not accept it because we haven't  
22 proven that people in Arctic Village have a c&t determination  
23 for the southern part of Region 9. And that's where the  
24 problem lies. And maybe we could say that c&t determination  
25 for everyone in their region or for their unit and their  
26 adjacent unit. Maybe that would be a lot easier to prove.

27  
28 CHAIRMAN MILLER: Go ahead, Pat.

29  
30 MR. SAYLOR: Yeah, I had a question. There's some  
31 allotments next to the highway from people from Dot Lake and  
32 Healy Lake both. If we want to hunt black bear we baited it up  
33 and these are on Federal allotments, Federal land. It would be  
34 good to stick us all together because up and down the highway  
35 it's the same. If we were going to bait that black bear, he's  
36 going to come there and we're going to hunt him and that falls  
37 under Federal game wardens jurisdiction, so I think tying these  
38 together is a good idea because if we don't do that we're  
39 breaking the law on our allotment here.

40  
41 I mean, moose, we know that's okay, but we don't know  
42 nothing about bear because there ain't nothing written that I  
43 know of. There might be, but I don't know.

44  
45 MR. NICHOLIA: I know one way we can settle this, we  
46 could just wipe out all these lines we got on there right now  
47 and just do three areas, Yukon Charley, St. Elias and then  
48 Arctic National Wildlife and then below Fairbanks and that way.  
49 We could do three regional -- three areas in Region 9, that way  
50 it'll be more feasible to, more or less, we wouldn't be

00043

1 adopting two or three communities and leaving out the rest of  
2 these communities.

3  
4 CHAIRMAN MILLER: Go ahead, George.

5  
6 MR. SHERROD: In respect to what Mr. Fleener was  
7 stating, one of the criteria, one of the eight factors, that we  
8 call it, is reasonably accessible. I think that it could be  
9 argued that reasonably accessible, we're talking about a  
10 distance that the unit and surrounding units is within reason,  
11 you know, you're not going to go to the Kenai Peninsula to get  
12 bear because if your doing -- you know, you're spending more  
13 gas, more effort and so on.

14  
15 But I think that it is possible to place an argument  
16 that a unit, the surrounding units are reasonably accessible to  
17 the resource. It's a distance that generally speaking is --  
18 was traveled traditionally. People traveled hundreds of miles  
19 at times. So in this case, if we were looking -- I pulled my  
20 map out, we got Unit 12, if we had Unit 11, 13(C), 20(D) and  
21 20(E), which includes at least the communities that were  
22 mentioned, that's Chistochina, Mentasta, the Unit 12  
23 communities, Dot Lake, Healy Lake, Chicken and the people that  
24 live along the highway. That one could possibly argue, if you  
25 guys could articulate it, and this is not a put-down, but I  
26 mean, basically if you can get it on the record, because my  
27 opinion means little, that these people living within adjacent  
28 units meet the qualifications of being reasonably accessible.

29 And in terms of the sharing, the long-term use, that  
30 really hasn't been a big question, particularly in this area or  
31 Fort Yukon area, you know, the areas that we deal with here.  
32 It's become just, you know, is it reasonably accessible? And  
33 if it is the feeling of this body that the home unit and the  
34 units close to it are reasonably accessible then you could try  
35 to go with that. And I can try to rewrite these or, at least,  
36 beef up that section of reasonably accessible if that's -- but  
37 you're going to have to tell the tape there, that based on your  
38 experience that is the truth, this is what you see it.

39  
40 MR. FLEENER: At least for a starting point I would go  
41 there. If we're going to have a lot of trouble saying Region  
42 9, I would at least say the unit and surrounding units. And so  
43 if everyone of the Council is happy with that, I would be  
44 satisfied with that for starters.

45  
46 CHAIRMAN MILLER: Go ahead, Lee.

47  
48 MR. L. TITUS: Yeah, I don't have no problem with going  
49 along with that. As soon as we get into individual species and  
50 individual proposals and trying to make this thing work -- what

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1 it's doing is putting more people into the pot and what about a  
2 unit that's really low on either bear or moose or caribou? If  
3 this goes on, keeping at the regional level, I mean how are we  
4 going to control overharvest?

5  
6 MR. SHERROD: Mr. Chair.

7  
8 CHAIRMAN MILLER: Go ahead, George.

9  
10 MR. SHERROD: We do have the 804 process which is  
11 designed to actually decide which of the subsistence users have  
12 access to a species, once you cut everybody else out. Once you  
13 said that there's not enough caribou to go around, there is a  
14 process in ANILCA that allows this body and the Board to decide  
15 which of those individuals have access to that species. It's a  
16 temporary thing, as long -- I mean, you know, once we have a  
17 resource that's down, caribou come back up and so on, then it  
18 can be changed.

19  
20 There is a mechanism to make the cut between  
21 subsistence users. That mechanism come into action after other  
22 people have been basically eliminated, so there is a process  
23 there. 25(B) West is a prime example of an area in which the  
24 resource is so depressed that only a few village can have it.  
25 Now, obviously, and Craig knows this better than I do, Fort  
26 Yukon residents hunted there in the past, they're not hunting  
27 there now because the resource is down and specific priority  
28 has been given to those that are most proximal. And i think --  
29 I don't have the law, but 804 it's proximity, it's alternative  
30 resources.....

31  
32 MR. FLEENER: And customary dependency.

33  
34 MR. SHERROD: .....and customary dependency. So there  
35 is a mechanism.

36  
37 MR. MATHEWS: Mr. Chairman, in response to be what  
38 seems to be going swirling around, you could take this as a  
39 step approach. Step one would be the step that you're doing  
40 now, the surrounding units. Step two would be in your Annual  
41 Report and possibly in one proposal here, I don't know which  
42 one would it be, to do a regional one. And your third approach  
43 is if it tends to be that you are uncomfortable with c&ts, but  
44 there is a need for recognition, would be to follow through on  
45 Nat's suggestion or thought on format recognition.

46  
47 If people are looking for recognition, and I can't  
48 speak for the Board, obviously, one would be through resolution  
49 or through policy statements. That would be avenues, without  
50 talking to Sue, that they could recognize the customary and

00045

1 traditional uses of X area.

2

3 MR. FLEENER: I think Tanana Chiefs has done that a  
4 number of times, made resolutions for all the TCC communities.

5

6 MR. MATHEWS: But these are brand new ideas. I don't  
7 know what the policy people or the Board would feel about it.  
8 But essentially based on the testimony that Nat captured, they  
9 wanted recognition of their customary and traditional use, not  
10 cutting others out, but by asking for recognition they are  
11 perceived to be cutting out others and could by getting the  
12 recognition, the process would cut out. So there is that, that  
13 would be a step approach.

14

15 How you would get that across to the Board is first  
16 step, recommendation on these proposals, units. Second step  
17 would be in your Annual Report of elaborating further that you  
18 would like to go to a regional approach, and then have the  
19 Board explore this option of other types of recognition.

20

21 MS. MEEHAN: Vince.

22

23 MR. MATHEWS: Yeah.

24

25 MS. MEEHAN: Just to add to what Vince is saying, so  
26 that we can kind of move along and deal with the things we got  
27 in front of us, right now the way the regulations are written,  
28 and it's sort of the rules that we have to play by, do not  
29 include the provision to deal with this recognition. And it's  
30 not to say that that's not important, it's just it's not in our  
31 game book right now. However, there is an opportunity that  
32 there will be a joint Board/Chair meeting prior to the Board  
33 meeting and I think that this is the kind of topic that would  
34 be really appropriate for the Chairs to bring up to the Board.

35

36 And put it in those terms, that, you know, look, we do  
37 have a problem in dealing with c&t because we do want to  
38 recognize our neighbors and our kinship ties, we don't want to  
39 exclude people, but it doesn't seem to fit well with what we're  
40 doing. How can we approach it? And that way you can get a  
41 dialogue going with the Board. And that's the level at which  
42 you can deal with these types of issues that, frankly, we at  
43 the staff level aren't prepared to deal with because we're  
44 stuck with the rules we've been dealt with.

45

46 MR. FLEENER: And that's part of the problem with the  
47 c&t thing.

48

49 MS. MEEHAN: Exactly. Yeah, and that's we kind of  
50 getting hung up on it, keep spinning it. So it would be a

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1 really good thing to just -- to take it to the Board and say,  
2 look, guys, you're the ones that pull the strings on this, how  
3 can we deal with this issue?

4  
5 MR. FLEENER: Well, I think that's a good idea. I  
6 think I'd like to suggest that we take the first step and do  
7 all of the adjacent units and then still present this to the  
8 Board as something we want to look to, because we got to get  
9 rid of this problem, it's been bothering me for a long time.

10  
11 MR. MATHEWS: Well, I think, following up with Rosa,  
12 would be that when you get to Annual Report, if you want to put  
13 it in there or not.

14  
15 MR. FLEENER: Yes, remind us, I do want to put it in  
16 there.

17  
18 MR. MATHEWS: That's a paper tracking, but I think it's  
19 very wise to talk with other Chairs on this.

20  
21 MR. FLEENER: I've talked to the other Chairs at the  
22 very first Chair meeting I went to. It wasn't brought up to  
23 the Board, but I talked to all the Chairs and all but one of  
24 them like the idea. One of them just wasn't sure, so.....

25  
26 MS. MEEHAN: Would you make a motion?

27  
28 MR. FLEENER: What kind of a motion are you asking for,  
29 that we bring it to the.....

30  
31 MS. MEEHAN: To identify this issue and take it to the  
32 Board and that way we'll, for sure, catch it right now.

33  
34 MR. FLEENER: We can do that. I'll make a motion that  
35 we identify the c&t determination process as a real problem and  
36 that we want to look for other options and include regional c&t  
37 determinations as an option.

38  
39 MR. GOOD: Second.

40  
41 MR. P. TITUS: This motion we just passed it's pretty  
42 hard to say -- animals migrate, we all know that for sure, they  
43 just don't stay in -- the black bear just don't stay in  
44 Chistochina and Mentasta, they go all over. So does the fish  
45 and everything, so something got to be done that everybody got  
46 equal opportunity to harvest the resources. That's all.

47  
48 CHAIRMAN MILLER: Go ahead, Lee.

49  
50 MR. L. TITUS: Yeah, Mr. Chair, I think where there's

00047

1 only a motion in order to adopt Proposal 95. I think we can  
2 deal with the other motion after we discuss.....

3  
4 MR. FLEENER: There's no motion on 95 yet.

5  
6 MR. L. TITUS: He made a motion. Yeah, there was a  
7 motion, that's why we're discussing it.

8  
9 MR. FLEENER: Motion to adopt 95?

10  
11 MR. NICHOLIA: Secretary?

12  
13 MR. MATHEWS: No, we didn't have a motion for 95, we  
14 just brought it up.

15  
16 MR. FLEENER: No, it was in Staff Committee.

17  
18 MR. GOOD: Yeah, the Staff Committee just repeating the  
19 point.

20  
21 MR. FLEENER: I mean we didn't set it up that way.....

22  
23 CHAIRMAN MILLER: Yeah, technically to discuss it,  
24 you're right, we should have made a motion.

25  
26 MR. L. TITUS: Out of order.

27  
28 CHAIRMAN MILLER: But we're doing under your reports,  
29 right? Agency reports.

30  
31 MR. MATHEWS: Again, we can adjust that at the next  
32 one, but there is no motion for 95 to adopt.

33  
34 CHAIRMAN MILLER: So we're doing it under agency  
35 reports?

36  
37 MR. MATHEWS: We just went ahead and gave you the  
38 background information for you to make a make a motion.

39  
40 MR. FLEENER: They were just on staff review. The  
41 Council just started -- and that's why I said we need to talk  
42 about the c&t determination before we get into proposals,  
43 because this is going to carry over to all the proposals.  
44 Question?

45  
46 MR. GOOD: No, I want to amend your motion, based on  
47 the fact that we need to clarify what you've said here, as a  
48 suggestion for a regional c&t, that c&t be granted on a, I'm  
49 going to call it a subunit here, because that's really what  
50 we're talking about, and adjacent subunits.

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1 MR. FLEENER: That wasn't part of the motion. The  
2 motion was to look at.....

3  
4 MR. GOOD: At the possibility of regional.

5  
6 MR. FLEENER: Yes, to take that to the Board and look  
7 at it as a future possibility.

8  
9 MR. GOOD: I think you might want to add that  
10 refinement, for a suggestion, so they know what you're talking  
11 about. Because a region could run -- could be the entire  
12 Interior or.....

13  
14 MR. FLEENER: Region 9 is the region.

15  
16 MR. GOOD: Yeah, it could be -- are you talking about  
17 for just Region 9?

18  
19 MR. FLEENER: Yes. That's the only thing we have  
20 authority over, Region 9.

21  
22 MR. GOOD: Okay. Well, we should put reasonable and  
23 accessible in there. We have authority over Region 9 but.....

24  
25 MR. FLEENER: Well, the only thing we're asking the  
26 Board to do is look at these options and we included this as  
27 one of the important options. But that's the only thing, we're  
28 asking the Board to look at different ways of doing the c&t  
29 determination because we bumped into all of these problems.  
30 And that's just one option, there's other options that we can  
31 bring up and for them to look at. That's -- I left it  
32 open-ended that way.

33  
34 MR. L. TITUS: Change the word from Board to staff?

35  
36 MR. FLEENER: Well, the Board -- is the staff going to  
37 address it or is the Board.....

38  
39 MR. L. TITUS: I'd hate to have the Board  
40 (indiscernible - away from microphone).....

41  
42 MR. FLEENER: Well, the staff -- if the Board's going  
43 to do anything, the staff is certainly going to be the one  
44 doing the work. The Board ain't going to do no work on it.

45  
46 MS. MEEHAN: My -- the way I was bringing it up or the  
47 framework I was trying to put around this, is that we at the  
48 staff level have to work with the rules of the game as they're  
49 dealt to us with the regulations. If you're going to change  
50 the regulations that's something that the Board has to deal



00049

1 with and so that's where you need to start the dialogue. And  
2 so my understanding of the motion on the table is to take this  
3 dialogue to the Board. And the forum to take it to the Board  
4 is at joint Chair/Board meeting.

5  
6 MR. FLEENER: And they'll direct you to work on it.

7  
8 MS. MEEHAN: No doubt, but they're the ones that have  
9 to do that.

10  
11 MR. FLEENER: Any more questions?

12  
13 CHAIRMAN MILLER: Yeah, George.

14  
15 MR. SHERROD: Again, we have to keep in mind this is an  
16 annual process and it is subject to change. I think that -- in  
17 pulling this back up, if you look on page 17, one of the  
18 criteria there in italics it basically deals with efficiency  
19 and economy of effort. Meaning that basically you can't go to  
20 Hawaii to catch fish and call it subsistence.

21  
22 On page 18 at the top in italics is the reasonably  
23 accessible. Now I think that from a theoretical basis, and  
24 also in fact, I could argue that the unit and the surrounding  
25 units is not too far to travel to be noneconomic, and it  
26 certainly, how do you say, is reasonably accessible. Those two  
27 are sort of one and the same in my mind. So if this body --  
28 and I know it's not the region and, again, we're drawing lines.

29  
30 It's not totally true that you don't have influence in  
31 other regions, that's why you're hearing proposals from  
32 Regional Councils in other regions. That if it was the desire  
33 of this body to adopt that and to put down in the record that  
34 you do so because it meets those two criteria, reasonably  
35 accessible and it's within the economic confines of the system.

36  
37 And subsistence is an economic term, it basically means  
38 that what you're doing -- you get more back than you put out,  
39 not a lot back, but at least you're not losing it. That I can  
40 beef these sections up and we can move it ahead to the Staff  
41 Committee and the Board and see if it flies.

42  
43 MR. FLEENER: Sounds good.

44  
45 MR. SHERROD: If you find that the other communities --  
46 I mean, there may be a community in here you say, well, they're  
47 reasonably accessible, such as maybe Fort Greely, but they're  
48 not a subsistence community and you can identify them and throw  
49 them out. And I'm not picking on Fort Greely, but.....

50

00050

1 MR. MATHEWS: Mr. Chairman, I think we need to, two  
2 things, get back to the motion. The motion was to get the  
3 regional idea before the Board. And then I understood real  
4 well what Rosa was saying, the format would be the joint Chairs  
5 meeting. But I think to save time later would be to say also  
6 the Annual Report, or is that not part of the intent?

7  
8 MR. FLEENER: No, I want it in the Annual Report also.

9  
10 MR. MATHEWS: Okay, Annual Report also. And then go  
11 back to what George is saying on the particular proposals, but  
12 we need to get this motion out of the way, up or down.

13  
14 MR. FLEENER: Yeah, let's vote on this one.

15  
16 MR. MATHEWS: And the way it would go is that the  
17 Chair, or whoever represents this Council, that goes to this  
18 joint Chair meeting will have to do this lobbying and defending  
19 of this issue before. And so that you understand that, and the  
20 Annual Report goes on its own track. So just to get the record  
21 straight and Rosa catches it, the format will be the joint  
22 Chairs plus the Annual report on this new idea of regional  
23 c&ts.

24  
25 Sorry to interrupt the conversation but it was drifting  
26 back to proposals and you got this global one, we need to  
27 settle that before we can go back to unit by unit.

28  
29 CHAIRMAN MILLER: Could you read the motion over again?

30  
31 MR. MATHEWS: No.

32  
33 MR. FLEENER: I barely even know what I said.

34  
35 MR. MATHEWS: I'll let Rosa do that because she  
36 captured it right on the beginning part. The only addition now  
37 is the Annual Report as a format.

38  
39 MS. MEEHAN: What I wrote down, and this is not  
40 verbatim because I don't type that fast, but.....

41  
42 MR. FLEENER: I talked really fast to her.

43  
44 MS. MEEHAN: I wasn't going to mention that. The  
45 motion was that the c&t process is cumbersome, need to bring  
46 out the issue of recognition and regional c&t approach to the  
47 Board at the joint Board/Chair meeting and within the Annual  
48 Report.

49  
50 MR. FLEENER: Sounds good to me.

00051

1 MR. MATHEWS: And that was moved by Fleener and  
2 seconded by Nat, assuming that they agree with the  
3 clarification.

4  
5 MR. FLEENER: Question.

6  
7 CHAIRMAN MILLER: Question's been called. All in  
8 favor signify by saying aye.

9  
10 IN UNISON: Aye.

11  
12 CHAIRMAN MILLER: Opposed same sign.

13  
14 (No opposing responses)

15  
16 MR. MATHEWS: Okay. Then I would say you need to go  
17 back now to 95 and do your first step, which would be subunits  
18 or whatever that was.

19  
20 MR. FLEENER: So are we saying we need a motion to  
21 bring Proposal 95 on the table first?

22  
23 MR. MATHEWS: I think it would be for easier for Lee to  
24 deal with it, if he's more comfortable having a motion to have  
25 it before discussion.

26  
27 MR. P. TITUS: Include 96 on it, since it's the same  
28 thing?

29  
30 MR. MATHEWS: You can do whatever you want, but as far  
31 as combining them since they're base -- they're from the same  
32 author, correct?

33  
34 MR. SHERROD: I believe so.

35  
36 MR. MATHEWS: Yeah, it's the same area and.....

37  
38 MR. P. TITUS: They're just black bear and brown bear.

39  
40 MR. SHERROD: I think, you know, we're going to have  
41 many of these. If you decide this is the way to go.....

42  
43 MR. FLEENER: This is the way to go, I want to.....

44  
45 MR. SHERROD: .....then we need to deal with them  
46 individually and just go 95, yea, 96 yea, and I'll make the  
47 presentation. We have to have a defensible record.

48  
49 MR. P. TITUS: What we need to discuss these things  
50 over and over for when they're just two words?

00052

1 MR. SHERROD: No, we can abbreviate it if you guys feel  
2 that this is the way to go and you put it down the first time,  
3 I think that we can zip through these.

4  
5 MR. FLEENER: Well, I want -- what we -- the thing that  
6 we just discussed about the adjacent regions needs to applied  
7 to all of these unless we particularly find one that we don't  
8 want it to apply to. But I'd like to see that, that was the  
9 whole intent of that one hour long discussion we just had. So  
10 lets go on with Proposal 95.

11  
12 MR. L. TITUS: Want a discussion.

13  
14 MR. FLEENER: I'll move -- if we want to bring it on  
15 the table, I'll.....

16  
17 MR. L. TITUS: I want to bring it -- how you want to  
18 deal with them, one by one?

19  
20 MR. P. TITUS: If we take the proposals one by one, 20  
21 minute, half hour discussions?

22  
23 MR. FLEENER: Well, the discussion should get a lot  
24 shorter after we (indiscernible - interrupted).....

25  
26 MR. P. TITUS: There goes my per diem.

27  
28 MR. L. TITUS: I move we adopt Proposal 95 and 96.

29  
30 MR. GOOD: Second.

31  
32 CHAIRMAN MILLER: Okay, moved by Lee Titus, seconded by  
33 Nat Good.

34  
35 MR. FLEENER: I'd like to just clarify that with these  
36 and the other ones that the adjacent regions or units, excused  
37 me, are added to the proposal.

38  
39 MR. L. TITUS: We can do that during discussion.

40  
41 MR. FLEENER: Because of -- yeah, we're in discussion.

42  
43 MR. L. TITUS: Okay, now you can modify the proposal.

44  
45 MR. FLEENER: That's what I was actually just doing.  
46 It's been moved and seconded.

47  
48 MR. MATHEWS: What I understand, it was moved and  
49 seconded to adopt 95 and 96, correct?

50

00053

1 MR. L. TITUS: Yeah. Now you want to make an amendment  
2 to it.

3  
4 MR. P. TITUS: I got a question, how about Tanacross,  
5 have any comments on these proposals?

6  
7 MR. FLEENER: We need those reasons added though and  
8 those are -- well, we got good reasons.

9  
10 MR. SAYLOR: Excuse me, so Healy Lake doesn't have to  
11 be specific what you guys are saying here by adjacent units is  
12 a lot of the same. Same ways if we were moving through this  
13 situation.

14  
15 UNIDENTIFIED VOICE: Right.

16  
17 MR. SAYLOR: Okay, that's good.

18  
19 MR. MATHEWS: But there's no motion to that effect on  
20 the floor.

21  
22 MR. FLEENER: We're about to get to that in just --  
23 this gentleman right here was chatting, I didn't want to  
24 interrupt him.

25  
26 MR. P. TITUS: I was just asking if these local people  
27 have any comments on these proposals, since it's in their local  
28 area.

29  
30 MR. MATHEWS: And there may be other agency comments, I  
31 don't know how you want to proceed.

32  
33 MS. MEEHAN: If I could suggest a process thing here.  
34 I know it's going to be kind of a challenge to go through each  
35 of these individually, but there's a lot of people here that  
36 have looked at these proposals from different perspectives and  
37 they may have things that they do want to share on individual  
38 proposals. And so to the extent we can, I think we can do  
39 abbreviated discussions, but I think it will be helpful and  
40 inclusive of everybody in the room to go through them one by  
41 one. So a process suggestion.

42  
43 MR. FLEENER: That's fine, I don't mind, let's go  
44 through one by one. Sorry.

45  
46 CHAIRMAN MILLER: How does the Board feel?

47  
48 MR. FLEENER: Except for the first two because there's  
49 already a motion. But I'll move to amend Proposal 95 and 96 to  
50 add the adjacent units, be included in this determination

00054

1 because they're -- I'm looking for the wording. Yeah, they've  
2 got -- they're reasonably accessible.....

3  
4 MR. MATHEWS: Are you sure you don't subunits?

5  
6 MR. FLEENER: Actually, I don't but some people  
7 probably do. Do you want me to list a few of these reasons?

8  
9 MR. SHERROD: I think it's important that you list at  
10 the reasons that are listed on page 17 and 18, which is  
11 basically, and I'll state, it's a pattern of use consistent  
12 with methods and harvest, characteristic by efficiency and  
13 economy and the other one is reasonably accessible.

14  
15 MR. FLEENER: Are you saying that I need to do this for  
16 every one? Can't I do this in the beginning and say that we'd  
17 like to do this for the rest of them? Can I put that on the  
18 record one time and say that I believe that the adjacent  
19 communities are within reasonable -- that are reasonably  
20 accessible and most of the time there are patterns of recurring  
21 uses. I'll just go down this list, heck.

22  
23 There certainly is patterns of consistent use,  
24 consisting of methods and means of harvest which are  
25 characterized by efficiency and economy in the adjacent  
26 regions. I don't need to list them all, I guess. One of the  
27 big one is that a pattern of use in which the harvest is shared  
28 and distributed within the definable community of persons and  
29 adjacent communities because they don't always share within one  
30 community. And this number 8 especially, a pattern of use  
31 which relates to a reliance upon a wide diversity of fish and  
32 wildlife resources and people do have to go into adjacent units  
33 to get to these resources at times.

34  
35 That's my motion. And that's not only for this one,  
36 but that's for all of them, so.....

37  
38 MR. P. TITUS: So where are we, Mr. Chair, are we  
39 on.....

40  
41 MR. FLEENER: Yeah, this is an amendment to Proposal 95  
42 -- the adoption of Proposal 95 and 96, we need a second.

43  
44 CHAIRMAN MILLER: Do I hear a second?

45  
46 MR. NICHOLIA: Well, I'll second it.

47  
48 CHAIRMAN MILLER: Seconded by Gerald.

49  
50 MR. FLEENER: Question on the amendment.

00055

1 MR. L. TITUS: Is that -- does the amendment include  
2 adjacent units?

3  
4 CHAIRMAN MILLER: Yeah.

5  
6 MR. FLEENER: Question.

7  
8 MR. GOOD: I'd like to discuss it a little further.

9  
10 MR. FLEENER: I'm sorry.

11  
12 MR. GOOD: A couple of things that we should take into  
13 account, 95 and 96 have different existing regulations, 95  
14 says, no determination or rural residents. So really, I mean,  
15 if your idea is to keep it more global then that's fine the way  
16 it is.

17  
18 Proposal 96, the existing regulation is residents of  
19 Unit 12 and Dot Lake. And so what you're intending to do,  
20 rather than bring in Chistochina and Mentasta, you're looking  
21 to make it, you know, that much larger.

22  
23 MR. FLEENER: I'd like the entire -- one of these days  
24 I'd like the entire book to say that all these people have c&t  
25 determinations, regionally or subregionally, at least.

26  
27 MR. GOOD: Well, on 95 it already does. That goes even  
28 further, it says no determination or rural residents.

29  
30 MR. FLEENER: Which means that the c&t is not  
31 recognized though, that's the problem with it.

32  
33 MR. P. TITUS: Look, my in blacked out.

34  
35 MR. GOOD: Hey, it is.

36  
37 MR. P. TITUS: How come yours ain't?

38  
39 MR. GOOD: I don't know. The other thing is -- I'm  
40 just wondering how staff is going to deal with Rampart having  
41 c&t down here in Unit 12. Is that what you're getting at now?  
42 Because when you say unit you're taking all of Unit 20 instead  
43 of taking 12, 20(E), 20(D) and 13, whatever that is there, (C)  
44 or.....

45  
46 MR. P. TITUS: How about jurisdiction?

47  
48 MR. GOOD: You see what I'm saying?

49  
50 MR. FLEENER: Yeah.

00056

1 MR. P. TITUS: How about jurisdiction?

2

3 MR. GOOD: If that's what the intent is, I just want to  
4 clarify that. I have no problem with it, but I think staff  
5 might have a little more difficulty in defending it from.....

6

7 MR. NICHOLIA: I think we should amend this motion just  
8 to include the number 3, number 4, eight factors. A pattern of  
9 use consistent of method and mean of harvest which are  
10 characterized by efficient and economy of efforts of cost,  
11 conditioned by local characteristics. And number 4, the  
12 consistent harvest of use of fish and wildlife as related to  
13 past methods and means of near or reasonably accessible  
14 according to (indiscernible). That way we could include other  
15 areas around Unit 12.

16

17 MR. FLEENER: Yeah, that's basically what the amendment  
18 is.

19

20 MR. GOOD: That was a further point. I mean, you can  
21 go fairly global with it if it's defensible. The only thing  
22 is.....

23

24 MR. FLEENER: Well, I think this is.....

25

26 MR. GOOD: .....this never takes effect unless there is  
27 a situation which the resource is in such a position as to  
28 require everybody else to be limited.

29

30 MR. FLEENER: What doesn't take effect?

31

32 MR. GOOD: The subsistence that we're looking at here;  
33 am I correct?

34

35 MR. FLEENER: The c&t determination will exclude other  
36 people (indiscernible - interrupted).....

37

38 MR. GOOD: Under a strictly subsistence hunt.

39

40 CHAIRMAN MILLER: Excuse me. George, that -- you say  
41 it's excluding other people, that's not excluding them from  
42 applying for -- is that 1344 permit?

43

44 MR. SHERROD: That only has Park Service land, that's  
45 separate from -- I mean it's tangential to this process, but  
46 it's something that the Board doesn't deal with, the Park  
47 Service handles it on its own. It's a real complicated mess.  
48 And if you'd like clarification, we have some Park Service  
49 staff here that could explain it far better than I could.

50



00057

1 CHAIRMAN MILLER: Okay. Trying to make it short and  
2 sweet, but I guess not.

3  
4 MR. FLEENER: Does the staff see any problem with the  
5 way that the amendment is worded?

6  
7 MR. SHERROD: Well, are we talking about subunits or  
8 entire units?

9  
10 MR. FLEENER: Well, I guess.....

11  
12 MR. SHERROD: Subunits are fairly defensible. Some of  
13 these units are pretty big and it may be problematic. And,  
14 again, if somebody is excluded in the first cut they have the  
15 right to come before this body and present evidence that they  
16 should be included.

17  
18 MR. FLEENER: I guess it should be subunits.

19  
20 MR. SHERROD: Was that your point, Mr. Good?

21  
22 MR. GOOD: Yeah, that was it.

23  
24 MR. SHERROD: Thank you.

25  
26 MR. MATHEWS: Does the second agree to that though?  
27 You wanted it subunits?

28  
29 MR. NICHOLIA: Yeah.

30  
31 MR. MATHEWS: And then before you move to question, you  
32 -- I don't know if there's agency or public, I have my back to  
33 them, so I can't read them, but there may be other comments  
34 before you act. So maybe a time -- I don't know, you can do  
35 it, Chuck, or I can, if anybody wants to testify this may be  
36 the time to do that before you want to move on this amendment.

37  
38 CHAIRMAN MILLER: We're getting close to lunchtime now.  
39 I don't know what time they eat over at the school.

40  
41 MR. MATHEWS: I don't know, did they say noon?

42  
43 MR. NICHOLIA: (Indiscernible - simultaneous speech)  
44 testify, let him testify.

45  
46 CHAIRMAN MILLER: What time do they usually eat over at  
47 the school?

48  
49 UNIDENTIFIED VOICE: Noon.

50

00058

1 CHAIRMAN MILLER: Noon. If there are any comments from  
2 the audience maybe we can have them give them real quick and  
3 then vote on this and at least get two done. Are there any --  
4 go ahead.

5  
6 MR. ULVI: Steve Ulvi with the Park Service. I  
7 appreciate your frustration. Many of us are very frustrated by  
8 the c&t process too. I guess the thing I would want to point  
9 out here is that one option you have, which I'm sure you're  
10 aware of but I didn't hear any discussions, you have the option  
11 to defer on these proposal where you feel there may be a  
12 misunderstanding by people as to what it is they're actually  
13 asking for.

14  
15 When I read Proposal 95 what I read is exactly what you  
16 said earlier, Craig, was that people are worried that if they  
17 don't have on the record documentation of c&t for certain  
18 species that they're going to be left out in the cold, but it  
19 creates this very complicated circumstance that you're talking  
20 about. And I -- so I would just suggest that it might be  
21 possible to respond back to the -- defer and respond back to  
22 the proposer so that they better understand the way the system  
23 works, even though it's far from perfect. And not overly  
24 complicate things unless there's a resource issue or an issue  
25 that really needs to be resolved that c&t can help do so.

26  
27 So I appreciate your frustration and I would just  
28 suggest that deferring might be one way to handle some of these  
29 where you feel they're going to get something that they didn't  
30 actually want. The statement was actually made in 95 that they  
31 didn't want to exclude other people.

32  
33 MR. FLEENER: Yeah, and this -- in -- I don't know if  
34 I'd like to defer. I appreciate you comments, but because  
35 people ask for these things for a reason and it's -- deferring,  
36 I just had the idea of deferring something that people ask us  
37 to -- we've had a problem with deferring things in the past and  
38 I just don't like to do it. I like to try to address things.

39  
40 And we're already in the middle of a c&t war here, you  
41 know, there's -- the book is filled with c&t determinations and  
42 there's really no going back, and so we got to try and get it  
43 all solved. And I think if we keep deferring it, like I  
44 pointed out, that we'll never get it solved, you know.  
45 Everybody on this Council is not going to be sitting here  
46 forever and if we defer to the next meeting and to the next  
47 meeting, I don't think it's going to get solved.

48  
49 We can't -- I don't know if we even have the time to go  
50 to every community that request a c&t determination and explain

00059

1 it to them exactly what it means, you know, I think that's part  
2 of what we're doing here, representing people. You know, we  
3 can go back to certain communities ourselves and talk to them  
4 about it, which I have done. But part of the trust, and they  
5 have nothing to do with selecting us, but normally part of the  
6 trust that people put in their representatives is that they're  
7 going to represent the viewpoint of local people, so.....

8  
9 MR. GOOD: Mr. Chairman.

10  
11 CHAIRMAN MILLER: Go ahead, Nat.

12  
13 MR. GOOD: Well, the fact of the matter is that this --  
14 what we are looking to approve here would grant them exactly  
15 what they've asked for, so it's not that we're denying them  
16 anything or acting against their wishes, we're simply granting  
17 them exactly what they asked for, but the format may be a  
18 little different.

19  
20 CHAIRMAN MILLER: Go ahead, Craig.

21  
22 MR. GARDNER: I'm Craig Gardner, Fish and Game and I  
23 guess, you know, recognition of subsistence use is important,  
24 but I think the biggest question that has to be asked before  
25 you can get to the c&t process is biological. You know, can  
26 these wildlife populations handle harvest and how much? And I  
27 think the greatest desire is to have as much subsistence use as  
28 possible.

29  
30 And that way I think 95 and 95 is -- I think  
31 (indiscernible) What I would -- really strong statement is  
32 that subsistence folks is that right now the black bear  
33 population can handle as much subsistence use as they can. Any  
34 change in the present determination is really not necessary.

35  
36 (Indiscernible) brown bears and black bears are  
37 biologically different and the harvest was used different. But  
38 right now, Unit 12 black bear populations can handle anybody  
39 from rural Alaska that just happens to be traveling on the  
40 highway to wherever. If they want to stop and take on, you  
41 know, there's plenty of black bears.

42  
43 And I disagree with what George said, (indiscernible)  
44 to moose and caribou use. Springtime use of black bears is the  
45 most important and there's no moose and caribou hunt going on  
46 at that time. I mean that's basically -- I think I would tell  
47 the Federal Subsistence Board that subsistence is important,  
48 it's recognized for black bear to used.

49  
50 CHAIRMAN MILLER: Any more comments?

00060

1 MS. HENNESSY: I'm Mary-Beth Hennessy, I'm the  
2 Chairperson of the Tanana/Fortymile Advisory Committee and  
3 Frank Entsminger is usually here and asked me to sit in for him  
4 and give comments today. And our committee would like to  
5 support the changes to the proposed regulation to include the  
6 communities of Chistochina, Mentasta, Dot Lake, Healy Lake and  
7 all of Unit 12.

8  
9 We feel that there's no reason why an established  
10 resident zone community can't have a c&t determination for this  
11 species. Both species for Proposals 96 and 95 as well.

12  
13 We feel also that hunting in the park has been -- our  
14 residents have been kept out of hunting in the park for so long  
15 that to some extent it's become a lost tradition. And, let's  
16 see, I think that -- and again, we just want all the qualified  
17 users to have a c&t determination.

18  
19 CHAIRMAN MILLER: Any more comments? Go ahead, Vince.

20  
21 MR. MATHEWS: I think to keep this more moving, I won't  
22 request it this time, but for future proposals I think we're  
23 going to have to go back to those steps to make sure we get the  
24 written comments in and get the other part in on that before  
25 you have dialogue. And this time I don't think it's necessary  
26 for this move. I will direct you during your break to look at  
27 the comment that are there. You did receive the books.

28  
29 What I'm doing now is creating a record, if you're  
30 wondering. You had the books mailed to you at least a week in  
31 advance and their present here in the room for others to look  
32 at and there are written comments from the Alaska Department of  
33 Fish and Game, Upper Tanana/Fortymile, the local Fish and Game  
34 Advisory Committee and I think Wrangell/St. Elias, I'm not sure  
35 if they commented on this or not. But those are present.

36  
37 And when we go to other proposals, we'll try to get  
38 those in there so you have a record that you did review them,  
39 but I believe you've reviewed these on your own.

40  
41 CHAIRMAN MILLER: Thank you. Call the question so we  
42 can vote on that.

43  
44 MR. FLEENER: The amendment needs voted on and then the  
45 motion needs voted.

46  
47 MR. L. TITUS: The amendment is to include the subunits  
48 surrounding Unit 12?

49  
50 MR. FLEENER: Yes.

00061

1 MR. GOOD: Immediately adjacent to -- I don't know what  
2 the wording was.

3  
4 MR. FLEENER: Yeah, it's adjacent to.

5  
6 CHAIRMAN MILLER: All in favor signify by saying aye.

7  
8 IN UNISON EXCEPT MR. L. TITUS: Aye.

9  
10 CHAIRMAN MILLER: Opposed same sign.

11  
12 MR. L. TITUS: I'd like to go on record as opposing the  
13 amendment.

14  
15 MR. MATHEWS: Now you're on the main motion as amended.

16  
17 CHAIRMAN MILLER: Question on the main motion?

18  
19 MR. P. TITUS: Question.

20  
21 CHAIRMAN MILLER: Question's been called. All in favor  
22 signify by saying aye.

23  
24 IN UNISON EXCEPT MR. L. TITUS: Aye.

25  
26 CHAIRMAN MILLER: Opposed same sign.

27  
28 MR. L. TITUS: Aye.

29  
30 For the record, I'd like to make a note of why I  
31 opposed that motion. I've been hearing a lot of talk about  
32 subsistence for a long time. I know we're acting under Federal  
33 law, under Title VIII of ANILCA. And I heard a lot of  
34 different people giving their opinion, some saying that was  
35 Indian law. Everybody have different views on c&t, everybody  
36 have different views on whose the subsistence user. Like I  
37 stated before, it was the Indian people throughout the State of  
38 Alaska. If there was no Natives throughout the State of Alaska  
39 we wouldn't even have to be sitting here right now. But it was  
40 our forefathers voice that we hear way back that we have to  
41 protect what they stood up for.

42  
43 And the reason I opposed the amended motion and the  
44 motion was that in including the adjacent unit there was a lot  
45 of communities that I believe that don't need meet criteria of  
46 being a subsistence user. And I'll just leave it at that.

47  
48 CHAIRMAN MILLER: Thank you, Lee. I think we ought to  
49 break for lunch about an hour.

50

00062

1 (Off record)

2

3 (On record)

4

5 MR. P. TITUS: I'll call the meeting back to order at a  
6 little after 1:00, couldn't see the clock. Vince.

7

8 MR. MATHEWS: Okay, just two quick procedural  
9 announcements. Someone lost a set of keys.

10

11 MR. P. TITUS: There's one right there.

12

13 MR. MATHEWS: Is that it?

14

15 UNIDENTIFIED VOICE: Thank you.

16

17 MR. MATHEWS: All right, we found the keys. The school  
18 has offered to have lunch again tomorrow. We need to decide by  
19 the close of -- well, we can decide now or by the close of  
20 school to get back to them to say that we would be interested  
21 in going to their lunch again tomorrow.

22

23 (Off record comments - discussing lunch)

24

25 MR. MATHEWS: Okay, well, we'll talk about that off the  
26 record, but that is an option. We need to get back to the  
27 school on that. It works out convenient to eat lunch here than  
28 to travel.

29

30 MR. FLEENER: I just want to make one comment dealing  
31 with the two proposals that we just supported and the remaining  
32 proposals that -- communities that don't have a longstanding  
33 traditional use of the resources, and based on all of the eight  
34 criteria, would not be included in the whole talk that we were  
35 doing, so places such as Fort Greely and the military assigned  
36 to those bases would not be included based on the eight  
37 criteria that I read into the record. And there were just a  
38 lot of questions on that, so I wanted to clarify it.

39

40 MS. DETWILER: For the Board's clarification, then, you  
41 might want to identify which communities those are, so they  
42 know for sure when they.....

43

44 MR. FLEENER: Well, what are the military bases that  
45 are in the adjacent areas? Fort Greely, what else?

46

47 MR. P. TITUS: Eielson.

48

49 MS. MEEHAN: Eielson's in the borough.

50

00063

1 MR. FLEENER: That's a little further north. That's  
2 the only, isn't it?

3  
4 MR. VOSS: The Coast Guard Station in Tok.

5  
6 MR. NICHOLIA: Coast Guard Station?

7  
8 MR. VOSS: Yeah.

9  
10 MR. FLEENER: Are they active duty military?

11  
12 MR. VOSS: Yeah.

13  
14 MR. P. TITUS: Exclusion.

15  
16 MR. FLEENER: Well, if they're active duty military and  
17 they don't have a longstanding -- whatever that -- go back to  
18 that paper again.

19  
20 MR. NICHOLIA: They're out.

21  
22 MR. FLEENER: A long term consistent pattern of use,  
23 excluding interruptions beyond control of the community or  
24 area. That's one of the eight factors, the number 1 -- first  
25 factor for determining c&t uses. So the military people would  
26 not be included based on that. So I just wanted to clarify  
27 that. And I think things might run a little smoother.

28  
29 MR. P. TITUS: Craig, did you have something?

30  
31 MR. FLEENER: Craig Gardner.

32  
33 MR. GARDNER: No.

34  
35 MR. P. TITUS: Anybody else? Proposal 98.

36  
37 MR. MATHEWS: Proposal 98, there's just going to be a  
38 very brief summary of what has happened with 98 and then we're  
39 into 99.

40  
41 MR. P. TITUS: We need a motion to discuss 98.

42  
43 MR. MATHEWS: Oh, sorry.

44  
45 MR. L. TITUS: So moved.

46  
47 MR. P. TITUS: Moved to discuss 98.

48  
49 MR. GOOD: Second.

50

00064

1 MR. P. TITUS: Moved and seconded, 98 is on the table.  
2 Page what?

3  
4 MR. MATHEWS: Page 50 in your book.

5  
6 MR. P. TITUS: Page 50 in your funny looking moose  
7 book. We don't have to read the proposal for the record, do  
8 we, Vince?

9  
10 MR. MATHEWS: When Pete summarizes you'll understand  
11 why we don't.

12  
13 MR. P. TITUS: Okay. Pete.

14  
15 MR. DeMATTEO: Mr. Chair, just quite basically,  
16 Proposal 98 was drafted and submitted by this Council during  
17 your previous meeting in Dot Lake. Basically what you were  
18 after was to change the c&t use determination for caribou in  
19 Unit 12 remainder to reflect for rural residents of Unit 12 and  
20 residents of Dot Lake and Mentasta Lake.

21  
22 When we took that proposal back to Anchorage we  
23 realized that -- and essentially what you were trying to  
24 achieve is already done. That is the current c&t use  
25 determination for Unit 12 remainder for caribou. The reason  
26 why it got confusing is because if you look at the subpart D,  
27 the season and bag side of the regulation, what exists there is  
28 the designation from the old State -- or the State c&t  
29 determination which says, for rural Alaska residents of Tetlin  
30 and Northway only.

31  
32 To achieve what you want, we could delete that from the  
33 language, and this is something that would not have to go  
34 before the Board, we could deal with this administratively and  
35 delete that from the language in the regulations book.

36  
37 MR. P. TITUS: What are the wishes of the Committee?  
38 Any comments from the Committee?

39  
40 MR. MATHEWS: Mr. Chairman, I think what Pete is  
41 indicating is there's possibly no action needed by the Council  
42 on this. So it can it be administratively address the concern  
43 of your proposal. So the mover and second could withdraw their  
44 -- why don't we go to the next one.

45  
46 MR. GOOD: I'll withdraw the second.

47  
48 MR. L. TITUS: What's the action of this?

49  
50 MR. GOOD: Yeah, we just withdrew it.



00065

1 MR. L. TITUS: Okay.

2

3 MR. P. TITUS: So we're done with 98. 99, page 53.  
4 We're done with 98, aren't we? We're on 99 now.

5

6 MR. GOOD: Mr. Chairman, I propose that we adopt  
7 Proposal 99, I move that we do so.

8

9 MR. L. TITUS: Second.

10

11 MR. P. TITUS: Moved and seconded to adopt Proposal 99.  
12 Discussion.

13

14 MR. MATHEWS: Okay, 99 is Unit 12 caribou to revise the  
15 c&t determination. It is to add the to the existing  
16 determination Healy Lake. With that I'll turn it over to  
17 George and then we'll got through the list.

18

19 MR. SHERROD: Okay. This proposal would add Healy Lake  
20 to the existing c&t for caribou in Unit 12. The bulk of the  
21 analysis highlights the close cultural ties and history of use  
22 of Healy Lake in the vicinity of that area. The conclusion  
23 would be to -- the temporary staff conclusion, or whatever we  
24 call it, would be to add Healy Lake to the existing c&t. And  
25 if there's additional questions I can go into it.

26

27 MR. P. TITUS: Craig.

28

29 MR. FLEENER: I wonder if all -- see how I want to ask  
30 this. Dealing with the changes to Proposals 95 and 96. Would  
31 you analysis that you're giving to us now have to slightly  
32 change a little bit, since we decided that that's what's going  
33 to happen with.....

34

35 MR. SHERROD: I would suggest that you adopt the  
36 proposal in the case the Board doesn't by off on the other one  
37 and that way you've covered Healy Lake. And then you can go  
38 ahead and also at the same time say that you adopt it because  
39 of the evidence presented in the analysis and because of your  
40 rationale, so you've adopted it twice. And that would be my  
41 suggestion.

42

43 MR. FLEENER: What do you think about that? Adopt the  
44 motion -- can you do that? Sounds kind of crazy.

45

46 MR. MATHEWS: You could make -- the other way would  
47 make it -- if you applied your earlier criteria, would be to  
48 adopt it that way but put in your justification that it's clear  
49 that the Board, if the Board didn't adopt it that you are  
50 recommending that Healy Lake be included. So your motion would

00066

1 be surrounding or adjacent subunits, and if the Board does not  
2 adopt that, that Healy Lake would be added to it, so  
3 you're.....

4  
5 MR. FLEENER: What my basic question is then, is his  
6 analysis for the rest of these should change because if we just  
7 keep reading the analysis as it's written everybody going to  
8 automatically think that we've thrown the c&t discussion out  
9 when, in fact, we wanted it applied to.....

10  
11 MR. SHERROD: What I'll do is I'll have to draft some  
12 generic language for all of these explaining those two factors  
13 and it'll be integrated into all of this. But to make  
14 sure.....

15  
16 MR. FLEENER: As long as everybody understands that  
17 those are -- okay, thank you.

18  
19 MR. MATHEWS: And before we -- again, we're not  
20 allowing other agencies to comment or public comments, so  
21 again, we may want to do that before we get into full  
22 discussion on that. Does the State -- I'm going ahead, Chair,  
23 if that's okay with you.

24  
25 MR. P. TITUS: Yeah.

26  
27 MR. MATHEWS: All right. The State had comments  
28 deferred. Does the State have any further comments on Proposal  
29 99? No? Okay. A summary of -- excuse me. Are there any  
30 other agencies that want to comment? That could be a tribal  
31 organization, could be whatever.

32  
33 MR. NICHOLIA: Upper Tanana/Fortymile.

34  
35 MR. P. TITUS: (Indiscernible)

36  
37 MR. MATHEWS: I'm getting to that, but right now I'm on  
38 agencies. Okay, just to keep it moving along I don't see  
39 anybody for agencies wanting to comment. That brings us up to  
40 summary of written public comments. I would rather have the  
41 Chair of Upper Tanana/Fortymile, if she desires, to share the  
42 public comments that we've received on Proposal 99. She's  
43 present. Or I can read our summary of that.

44  
45 MS. HENNESSY: We support this proposal, but why don't  
46 you go ahead, I can't seem to find it.

47  
48 MR. MATHEWS: Okay. It's page 68, but I don't know  
49 what page it is in your book. And just what we've summarized  
50 from the Upper Tanana/Fortymile comments were that they support

00067

1 with amendment to have a positive c&t for Healy Lake also. So  
2 it sounds like the committee did support this proposal.

3  
4 And that's all the written comments that I know of at  
5 present. And then now you would go to open public comments if  
6 there are any.

7  
8 MR. P. TITUS: I'll turn the chair back over to the  
9 Chairman, for the record.

10  
11 MR. MATHEWS: There may be some public comments.

12  
13 CHAIRMAN MILLER: Are there any public comments on  
14 Proposal 99?

15  
16 MR. SAYLOR: I got a paper here. Healy Lake, there's a  
17 lot of people that think Healy is over on the side of the  
18 mountain. Somebody else here went to other meetings and stuff.  
19 Local people are about the only ones that know where it's at  
20 and every time we mention it they get the wrong idea. They  
21 even send our mail to that place sometimes, you know. So  
22 there's a paper here that Connie's got about 30 copies if you  
23 guys want -- whoever doesn't know about place, look it over and  
24 there's some more information on it and stuff. I mean they  
25 don't even have us marked on you guys' map there, you know.

26  
27 It's one of the oldest villages historically. I mean  
28 every year for 11,000 years that village has been there, you  
29 know. It's got some of the biggest cache pits, meaning the --  
30 like there's whole islands that got ice under them so they can  
31 peel back all the way down to the ice, put down stuff and it'll  
32 be frozen almost the whole year. And they protected that place  
33 very fiercely because in upper regions where the Forty-Mile  
34 Herd drops calves and stuff. And so that place is protected  
35 very fiercely because that was where they didn't want that  
36 place to be taken by other tribes or the population to be  
37 knocked down.

38  
39 Well, you know the Taylor Highway pretty much put Healy  
40 Lake in a pretty bad spot and forced a lot of our people to the  
41 road system. There's one old guy that even remembers that  
42 there was shooting of caribou there. They propped up a frozen  
43 caribou besides the road there and it was shot so full of holes  
44 at the end of the day. I mean I'd hate to ever see management  
45 like that again. The way everything is going now, this is a  
46 positive step forward, we're tired of being cut out or  
47 practically erased.

48  
49 Efademics (sic) have taken a great toll on us. Our  
50 people have been through a lot. We're getting back into a lot

00068

1 of our hunting grounds in deeper where we haven't been because  
2 we have a stable economy. Our village is finally on the rise  
3 in the last four year really. We've been number 1 on the  
4 poverty list of villages, 60 some percent unemployment and  
5 stuff. I mean that's all -- if we didn't have to hunt and fish  
6 a little bit for white fish and stuff, grayling, we'd starve to  
7 death. We would have never made it. I mean and we'll fiercely  
8 defend that, you know.

9  
10 But we're not unreasonable people, I mean, if you make  
11 sense we'll listen to you, but if you don't make sense you're  
12 going to wind up looking foolish there because they're going to  
13 want to know why, just like any other place. I mean -- but we  
14 got that paper here if anybody wants to know about us. We're  
15 related to all the Upper Tanana and down towards Copper some  
16 through Mentasta and I mean, everybody knows us locally, it's  
17 just a lot of the Outside, there's a lot of miscommunication  
18 because they think we're somebody else or -- you know, there's  
19 not very many of us but that doesn't mean that we don't know  
20 what's going on or we don't use daily travel.

21  
22 Our people travel a lot, they're nomadic. Some of us  
23 -- I've been all the way up to Fort Yukon, I've been up to 16  
24 mile, I've been up to Venetie, I've been up Carroll, I've been  
25 all the way toward the Canadian border, I've been into Tetlin.  
26 We travel around because we want to see what's going on, we  
27 don't want to stay in one place there like a little beaver and  
28 swim around and that's it, you know, that's dumb, that's not  
29 the kind of people we are. We're caribou people, we travel.

30  
31 That's all I got to say. Thanks for supporting us.

32  
33 CHAIRMAN MILLER: Thanks. Any more comments on  
34 Proposal 99?

35  
36 MR. MATHEWS: Mr. Chairman, the motion was to move to  
37 adopt the proposal as written. And if you were to apply your  
38 earlier policy you'd have to amend it.

39  
40 MR. FLEENER: Your last -- I made the statement and  
41 asked the question earlier if I'm going to have to do that on  
42 everyone and you said, no.

43  
44 MR. MATHEWS: Oh, did I?

45  
46 MR. FLEENER: Yes, you did.

47  
48 MR. MATHEWS: I think you're going to -- I don't know,  
49 George, I think we would have to have the motion said that it  
50 would be adjacent units on the record.

00069

1 MR. FLEENER: It is on the record, but -- go ahead.

2

3 MS. MEEHAN: If I make a suggestion. What you can do  
4 is make a motion to adopt as written with the amendment to add  
5 adjacent subunits for the reasons lined out in 95 and 96.

6

7 MR. FLEENER: I like that one, we'll go with that.  
8 I'll make that motion.

9

10 CHAIRMAN MILLER: Is there a second?

11

12 MR. L. TITUS: So it's amended to amend the.....

13

14 MR. FLEENER: To include adjacent units. The same  
15 motion as last time.

16

17 MR. L. TITUS: Does that exclude the communities with  
18 no traditional.....

19

20 MR. FLEENER: Yes.

21

22 CHAIRMAN MILLER: Do I hear a second?

23

24 MR. GOOD: I'll second it.

25

26 MR. FLEENER: Question.

27

28 CHAIRMAN MILLER: Has been called. All in favor say  
29 aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN MILLER: Opposed same sign.

34

35 (No opposing responses)

36

37 MR. FLEENER: All for question on the main motion.

38

39 MR. P. TITUS: What's the main motion?

40

41 MR. FLEENER: The main motion is to adopt, this was  
42 just to amend 99.

43

44 MR. P. TITUS: So adopt Proposal 99? So moved.

45

46 MR. GOOD: Second.

47

48 MR. NICHOLIA: Question.

49

50 CHAIRMAN MILLER: Question's been called. All in favor

00070

1 say aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN MILLER: Opposed same sign.

6

7 (No opposing responses)

8

9 MR. FLEENER: Is it too confusing for us to move to  
10 bring this on the table early on?

11

12 MR. MATHEWS: You can move it with the amendment that  
13 she said. You could do it that way if you don't want to go  
14 through amendments, just make your motion.

15

16 MR. FLEENER: Okay. I'll make a motion to adopt  
17 Proposal 100 with the amendment that's going to follow,  
18 outlined in 95 and 96, that sort of thing.

19

20 CHAIRMAN MILLER: Is there a second?

21

22 MR. P. TITUS: Second the motion.

23

24 MR. MATHEWS: Okay. Proposal 100 is to deal with sheep  
25 in Unit 12. It's to add Healy Lake to the sheep determination  
26 for Unit 12.

27

28 MR. SHERROD: Proposal 100 basically deals with, again,  
29 the same set of data, tying Healy Lake with the other  
30 communities in the Upper Tanana area. The conclusion is  
31 modified in this one, however, to not only add Healy Lake to  
32 the existing determination but to also -- or a recommendation  
33 is to add Dot Lake also. Dot Lake is currently not included in  
34 Unit 12. And resource use maps indicate that have hunted sheep  
35 in that area.

36

37 MR. MATHEWS: Okay, the agency comments that I have are  
38 Fish and Game deferred comments. Defer to the State if they  
39 have any additional comments on sheep in Unit 12, Proposal 100.

40

41 MR. GARDNER: No.

42

43 MR. MATHEWS: And I don't have any other agency  
44 comments. I don't know if any other agencies care to comment  
45 at this time. No? Okay. Again, the only other written  
46 comment that I know of is from Upper Tanana/Fortymile and I can  
47 just keep rolling here, I mean, I'm on a roll. Anyways, they  
48 support it and.....

49

50 MR. FLEENER: Unless someone raises their hand to say

00071

1 something, maybe we can just keep going.

2

3 MR. MATHEWS: Okay, I just don't want to offend  
4 anybody, I have my back to them and et cetera, so that's my --  
5 okay, they supported it. That's all the written comments that  
6 I am aware of.

7

8 MR. SAYLOR: I'd like to make a quick comment on the  
9 sheep. Our sheep hunting grounds up the Big Gerstle and stuff  
10 have been contaminated by the Army who has a chemical testing  
11 site up there and also had a nuclear -- one of the first  
12 nuclear power plants in the whole United States, they had up  
13 there in there's been a lot of strange animals coming out of  
14 that with cysts all through their bodies and horns growing and  
15 hooves growing all strange. People are afraid to eat things  
16 from there. There was even a boy from the Dot Lake orphanage  
17 back 20-25 years ago that ate a fish out of one them lakes and  
18 died. And we don't know what happened to his body but that was  
19 taken and never returned as far as we know.

20

21 And so our sheep hunting grounds pretty much, we don't  
22 have any. And this would be the reason why we'd like to hunt  
23 up there. And we got some people that have invited us to hunt  
24 sheep once this year and stuff and we'd like to go without  
25 having to worry.

26

27 CHAIRMAN MILLER: Thank you.

28

29 MR. GOOD: Mr. Chairman.

30

31 CHAIRMAN MILLER: Go ahead, Nat.

32

33 MR. GOOD: I move that we amend the proposal to include  
34 Dot Lake.

35

36 MR. FLEENER: Dot Lake will be included because we're  
37 including all adjacent.....

38

39 MR. GOOD: Oh, okay, as long as it's that way, but your  
40 actual proposal was written as Healy Lake. If they don't  
41 accept the adjacent -- well, I guess I can go with it.

42

43 MR. P. TITUS: 95 and 96?

44

45 MR. GOOD: Well, you see what I'm saying, if they don't  
46 accept the adjacent subunit area then Dot Lake would be left  
47 out of the original proposal.

48

49 MR. FLEENER: When our Chairman goes to the Board  
50 meeting in and they're bringing these up, he can talk about

00072

1 that there, if nothing else, right?

2

3 MR. FLEENER: Yeah.

4

5 MR. MATHEWS: He can talk about it if that's the wishes  
6 of the Council to make sure -- he also speaks as an individual  
7 of Dot Lake, but he needs to first carry forward the Council's  
8 wishes. I suppose this would be another global one that we  
9 would carry forward that they support the proposal as written  
10 with the attachment of adjacent units. If the Board doesn't  
11 adopt that, that Dot Lake would be in and Healy Lake would be  
12 in, whatever it happens to be.

13

14 MR. FLEENER: Well, maybe we can make that motion at  
15 the end of going through all these proposals, we can make one  
16 motion to deal with that.

17

18 MS. MEEHAN: I think you have it covered.

19

20 MR. FLEENER: I hope so. I'm very worried.

21

22 MS. MEEHAN: Yeah. If you support the staff  
23 recommendation with the addition of the adjacent subunits then  
24 that keeps it clear. And so if you just do that on each one  
25 then I think you're consistent with covering.

26

27 MR. FLEENER: Thank you. Question.

28

29 CHAIRMAN MILLER: Question's been called. All in favor  
30 signify by saying aye.

31

32 IN UNISON: Aye.

33

34 CHAIRMAN MILLER: Opposed same sign.

35

36 (No opposing responses)

37

38 MR. P. TITUS: Approval -- 100 is approved.

39

40 CHAIRMAN MILLER: Adopted.

41

42 MR. P. TITUS: 101 and 104.

43

44 MR. FLEENER: I move to adopt Proposal 101. Are we  
45 also doing 104?

46

47 MR. SHERROD: I would suggest you do them separately.

48

49 MR. FLEENER: Okay, 101 with the global -- I'm losing  
50 track in my mind on the global amendment that we made for 95



00073

1 and 96.

2

3 MR. MATHEWS: So essentially you're saying you're  
4 adopting the staff's recommendation with the additions of the  
5 adjacent units?

6

7 MR. FLEENER: Yes, but I don't want to say that every  
8 time.

9

10 MR. MATHEWS: Well, I'll do it for you then.

11

12 MR. FLEENER: Thank you.

13

14 MR. MATHEWS: Is there a second for that?

15

16 MR. NICHOLIA: I'll second it.

17

18 MR. MATHEWS: Okay, Proposal 101 is to deal with moose  
19 in Unit 12 to revise the customary and traditional use  
20 determination, which is on the projector here in front of you.  
21 In the book there's -- so I won't go through the full length of  
22 it to add Healy Lake to various parts of Unit 12.

23

24 MR. SHERROD: Yeah, this again, is a Healy Lake one and  
25 it ties in with the customary use of the Upper Tanana people  
26 and the staff recomm -- the conclusion is to adopt 101 thereby  
27 adding Healy Lake to the current c&t for moose in Unit 12.

28

29 MR. MATHEWS: Okay, hearing no questions on that.....

30

31 MR. P. TITUS: Wait, wait, wait. How come it says Unit  
32 20 opposed recommendations?

33

34 MR. SHERROD: That's 104, we'll deal with that in a  
35 minute.

36

37 MR. P. TITUS: It says Proposal 101 and 104.

38

39 MR. FLEENER: We're only doing 101 in 20 is.....

40

41 MR. P. TITUS: This page says 101 and 104.

42

43 MR. FLEENER: It's just a mistake. Look up there on  
44 that thing, it's 101.

45

46 MR. P. TITUS: Oh, okay, they cut this part off. This  
47 book is kind of different from that one up there.

48

49

50 CHAIRMAN MILLER: ADF&G comments.

00074

1 MR. MATHEWS: What I have, unless they have additional  
2 ones if for 101 they have deferred comments. I don't know if  
3 they have any new ones.

4  
5 MR. GARDNER: Basically support it.

6  
7 MR. MATHEWS: They basically support it. I don't know  
8 if they're picking it up on the tape, but Craig Gardner said  
9 the State supports 101.

10  
11 CHAIRMAN MILLER: Public comments.

12  
13 MR. MATHEWS: Public comments, again, I think the Chair  
14 of Upper Tanana/Fortymile would like to speak on that.

15  
16 MS. HENNESSY: We support it as well.

17  
18 MR. MATHEWS: And I don't know if there's any other  
19 agencies or public that want to comment on Proposal 101.

20  
21 CHAIRMAN MILLER: Don't hear any more comments.

22  
23 MR. FLEENER: Question.

24  
25 CHAIRMAN MILLER: Question's been called. All in favor  
26 signify by saying aye.

27  
28 IN UNISON: Aye.

29  
30 CHAIRMAN MILLER: Opposed same sign.

31  
32 (No opposing responses)

33  
34 CHAIRMAN MILLER: Proposal 101 passes. Now 104.

35  
36 MR. MATHEWS: I need to just remind the Council and  
37 Chair, for logistic reasons we've set up a teleconference at  
38 2:30 with Eagle to deal with their Proposal 105. We'll  
39 probably be right on time for that, but we may have to break  
40 out of our pattern to pick them up.

41  
42 Someone had to move to do whatever.

43  
44 MR. FLEENER: Are we on 104 now? I move to approve 104  
45 with the -- Proposal 104 with the inclusion of qualified  
46 residents in the adjacent subunits.

47  
48 MR. MATHEWS: So if I heard you correctly you moved to  
49 adopt the staff's recommendation with the addition.

50

00075

1 MR. FLEENER: No.

2

3 MR. MATHEWS: No?

4

5 MR. P. TITUS: Hold it, hold it. Staff recommendation  
6 is to oppose. Right there it says, Opposed, rural residents of  
7 Healy Lake should not be recognized as having a positive c&t in  
8 Unit 20(A) or 20(B). What does that mean?

9

10 MR. SHERROD: Should I?

11

12 CHAIRMAN MILLER: Yes.

13

14 MR. SHERROD: Okay. Basically when I looked at Healy  
15 Lake's pattern and the argument given that there wasn't  
16 specific data to their hunting practices, justification was  
17 tied to the fact that hunting was to the east and not to the  
18 west. Now, if you go with your original -- I mean with what  
19 you're trying to do, basically, what you'd be doing, and we're  
20 dealing with 20(A) and (B), is you would grant c&t to 20(A) and  
21 (B) for the adjacent units. So you would be 20(B) -- I don't  
22 have a map, 13(B) and so, so it would be communities other than  
23 just Healy Lake.

24

25 I mean, right now Delta Junction, which sits on the  
26 border doesn't have c&t, for example, in 20(A). In fact, no  
27 one had c&t in 20(A).

28

29 MR. GOOD: There's nothing to have c&t on in 20(A)  
30 unless you have the military land, which is Federal land. We  
31 should but anyway.

32

33 MR. SHERROD: So I guess the question here is, you  
34 know, this is a little bit more twisted, and I'm certainly not  
35 telling you not to go ahead and say, you know, 20(A) c&t is for  
36 residents of 20(A) and (indiscernible) any subunits. And do  
37 the same thing for 20(B).

38

39 MR. P. TITUS: I got a question on this. See the  
40 boundary follow the river and we say there's no c&t findings in  
41 that area. And the fish go up that river. Is that another  
42 unit, is that a separate unit?

43

44 MR. SHERROD: The fish c&t?

45

46 MR. P. TITUS: Yes.

47

48 MR. SHERROD: I don't think we even got a fish c.....

49

50 MR. P. TITUS: I mean suppose we take over.

00076

1 MR. SHERROD: We may have in the future, I don't know.

2

3 MR. P. TITUS: There's going to be a separate c&t for  
4 fish and game?

5

6 MR. MATHEWS: You have c&ts for fish, but they're for  
7 the whole drainage of the Yukon River which covers this area,  
8 so there are existing c&ts.

9

10 MR. FLEENER: Mr. Chair, approximately where is the  
11 62nd parallel on that?

12

13 CHAIRMAN MILLER: Who?

14

15 MR. FLEENER: Sixty-second parallel which in the old  
16 regulation. For residents of Unit 11, north of the 62nd  
17 parallel.

18

19 MR. SHERROD: That's from the existing regulation and I  
20 think is the park boundary, I'm not sure.

21

22 MR. FLEENER: Does anybody have any idea where the 62nd  
23 parallel is? It's just kind of a strange boundary to have,  
24 especially since none of our managers or us knows where it's  
25 at.

26

27 MR. P. TITUS: (Indiscernible)

28

29 MR. GARDNER: I don't like around here, but the 62nd is  
30 north of Slana.

31

32 MR. P. TITUS: Ask the pilot.

33

34 MR. FLEENER: So it's just north of Slana?

35

36 MR. GARDNER: Yeah.

37

38 MR. SHERROD: That was adopted from State regulations,  
39 that's the existing c&t determination for that area.

40

41 MR. FLEENER: So you basically oppose it based on what?

42

43 MR. SHERROD: Well, we didn't have evidence indicating  
44 geographic use of the area. And that's no fault of Healy Lake,  
45 it just doesn't exist. And for the fact, as I say, even Delta  
46 Junction currently does not have c&t for the area and part of  
47 it has to do with there's not a lot of Federal lands in  
48 proximity. If you look at the map that has the Federal lands  
49 on it you'll notice in both 20(A) and 20(B) do not have any  
50 substantial amount of Federal lands proximal to the boundary

00077

1 line.

2

3 CHAIRMAN MILLER: Go ahead, Lee.

4

5 MR. L. TITUS: Just going with the -- according to the  
6 way that the motion that we're going with right now, I'd have  
7 to speak against that -- this one too because we're dealing  
8 with different -- we're dealing with a totally different unit.  
9 Unless there's some kind of an amendment to the original  
10 motion.

11

12 MR. FLEENER: Well, I just -- I'm making a motion so  
13 that we can bring these on the table and discuss them. We can  
14 simply not support it. I just made a motion to.....

15

16 MR. L. TITUS: I understand. I understand. But I was  
17 just giving my reason for opposing it.

18

19 MR. FLEENER: I understand. Maybe we can have the Fish  
20 and Game and other communities give their comments on this so  
21 we can continue.

22

23 MR. MATHEWS: Let me ask what is the motion on the  
24 table at the moment?

25

26 MR. FLEENER: Well, I made a motion that we adopt  
27 Proposal 101 -- excuse me, 104.

28

29 MR. MATHEWS: Based on staff recommendation or just the  
30 proposal?

31

32 MR. FLEENER: No, just as it is.

33

34 MR. MATHEWS: Okay.

35

36 MR. FLEENER: And we're waiting for Fish and Game's  
37 comments.

38

39 MR. GARDNER: Craig Gardner again, of course I don't  
40 work around 20(A) but I do know something about the 20(A) moose  
41 population and, you know, biologically, there's a moose behind  
42 every tree in that portion of 20(A). So the only with those  
43 communities and villages for subsistence, I don't -- I mean, I  
44 don't understand not including the rural for rural Alaska and  
45 Bush Alaska in that portion of 20(A). And, one, you know, it  
46 is military land (indiscernible) bombing range, so that's kind  
47 of a problem area there.

48

49 But I don't see any problem to include, to go along  
50 with the proposal

00078

1 MR. GOOD: The only problem I have is I don't see where  
2 you're going to get to hunt, you know. I mean, it's like we're  
3 spitting in the wind or something, you know, unless we say that  
4 we support subsistence on Fort Greely's bombing range or on  
5 Fort Greely, period, because it's not all bombing range.  
6 Because otherwise that's the only other Federal land, aside  
7 from a possible little strip running alongside of the highway  
8 outside the park.

9  
10 CHAIRMAN MILLER: Any comments there?

11  
12 MR. MATHEWS: I think there's some comments over here.

13  
14 MS. MEEHAN: Let me just put a clarification. The  
15 staff recommendation for 104 is to not adopt the proposal.

16  
17 MR. FLEENER: Right, we understand that.

18  
19 MS. MEEHAN: Okay. And so it just -- so basically  
20 recognizing that the evidence we got for Healy Lake is that the  
21 folks in Healy Lake are more closely tied to the territory to  
22 the east. So the motion that's on the table, as I understand  
23 it, is to agree with the staff recommendation.

24  
25 MR. FLEENER: No. That's not the motion I made, no.

26  
27 MS. MEEHAN: All right.

28  
29 MR. MATHEWS: The motion was to support the proposal as  
30 written.

31  
32 MR. FLEENER: Yeah.

33  
34 MS. MEEHAN: Okay.

35  
36 MR. MATHEWS: Because I was confused too.

37  
38 MR. FLEENER: So it's the proposal as written, which  
39 would be to add Healy Lake to 20(B), I gather, (A) and (B).

40  
41 MR. L. TITUS: So we're going to go along with the  
42 staff recommendation, we have to vote the proposal down, right?

43  
44 MR. MATHEWS: Correct.

45  
46 MR. FLEENER: Right, or table it.

47  
48 MR. P. TITUS: I got problem with opposing subsistence.  
49 Once we say it's okay not to have subsistence for it, this  
50 thing -- somebody else will put in a proposal and say, okay,

00079

1 these guys gave up their subsistence rights on that, we could  
2 take more subsistence away from them. And you open a can of  
3 worms that will (indiscernible).

4

5 MR. FLEENER: Maybe we should have -- Mr. Chair, maybe  
6 we could have the rest of the other comments and then we can  
7 make our comments so we can stay in order, if possible.

8

9 MR. MATHEWS: Okay, the other comments from the State  
10 are deferred and Craig has shared what he has so far. And I'm  
11 not sure, so I'll defer to the Chair of Upper Tanana/Fortymile.  
12 We looked at this combined. I assume Upper Tanana supported  
13 104.

14

15 MS. HENNESSY: We did.

16

17 MR. MATHEWS: Okay.

18

19 MS. HENNESSY: Can I ask for some clarification on  
20 something?

21

22 CHAIRMAN MILLER: Sure.

23

24 MS. HENNESSY: Mr. Chair was talking about this has not  
25 been a traditionally used area, can you.....

26

27 MR. SHERROD: No. No. No, for Healy Lake. I only  
28 addressed Healy Lake and we have no data, I should say, no  
29 harvest data associated with Healy Lake's use area. Now,  
30 without a doubt they use the area acrossed. You know, I firmly  
31 believe the -- I believe Delta Junction used the area acrossed  
32 but -- and I have no heartburn with you guys going a different  
33 direction. I'm just saying there wasn't any data for it. And  
34 I also thought that if we were going to deal with c&t for 20(A)  
35 and (B) for Healy Lake, we should be looking at Delta Junction,  
36 Big Delta and those other communities as well.

37

38 MR. GOOD: Can you clarify for me just what lands these  
39 would actually have any effect on.

40

41 MR. SHERROD: It'll be a long way away, that's the  
42 other reason for basically saying not supporting it, is it  
43 wouldn't make any difference.

44

45 MS. GRONQUIST: Is the military withdrawals within  
46 20(A)? My understanding that was one of the land manager's for  
47 those lands, is that they are under State hunting regulations,  
48 not Federal. And somebody briefly mentioned that, I don't know  
49 if everyone picked that up.

50

00080

1 MR. GOOD: But so are all Federal lands, too.

2  
3 MS. GRONQUIST: Pardon?

4  
5 MR. GOOD: So are all Federal lands, too.

6  
7 MS. GRONQUIST: No, I'm saying that there are no  
8 Federal regulations that cover those withdrawals, they are  
9 regulated under State hunting regulations, period.

10  
11 MR. GOOD: But they're also closed by the Federal  
12 government whenever they see fit. They open and close the  
13 season whenever they see fit by allowing access or disallowing  
14 access.

15  
16 MS. GRONQUIST: Yes, that's correct, but that's -- the  
17 military controls access of those withdrawals, we control third  
18 party interest, which is -- which would normally include  
19 hunting but in this case the Federal Subsistence Board made the  
20 decision that military withdrawals would fall under State  
21 hunting regulations only.

22  
23 MR. GOOD: Yeah.

24  
25 MR. L. TITUS: We're dealing with -- just in case the  
26 Russian delegation and.....

27  
28 (Laughter)

29  
30 CHAIRMAN MILLER: We're kind of beating ourselves to  
31 death over nothing. Go ahead, George.

32  
33 MR. SHERROD: Mr. Chair, one way to deal with this one  
34 because let's say it's -- and not going against your 95/96  
35 might be just to take no action on it. Taking action or no  
36 action is not going to make any difference in terms of hunting  
37 opportunity. It would have you not go against your original  
38 stand.

39  
40 MR. FLEENER: Have we heard from all of the public on  
41 this; is there any public comments that we haven't heard from  
42 because.....

43  
44 MR. MATHEWS: Well, the only thing that I would  
45 encourage you is that since this is a Healy Lake proposal and  
46 it's from the Traditional Council, encourage them if they have  
47 any other additional comments on these proposal, since we have  
48 a representative here from Healy Lake.

49  
50 MR. SAYLOR: In 20(A) there, as close as we come is one



00081

1 of our half sister to Chief Healy would be Bessy Barnabas (ph),  
2 she from Salcha and also she's related to the chief of Goodpass  
3 or Chief Luke. Now that falls in their territory, we have some  
4 Lukes that live in Healy Lake, and some of them drive down that  
5 road, you know, going down to visit their relatives in the  
6 Copper, you know, and that's probably where this pretty much  
7 came from that's if they get an opportunity there that they  
8 would take it.

9  
10 That old lady was born right there, right above Delta  
11 Junction where that road goes by that little hill you see  
12 there, that was a lookout for caribou. You can see why because  
13 there ain't no trees around there. And personally, I haven't  
14 hunted down in that area, I drove through it, you know, but so  
15 did the Lukes, you know, they're know to go down an visit down  
16 in the Copper because they're related though there.

17  
18 A long time ago, see, the Lukes, when the epidemic came  
19 through there, they moved and married with the Healy ervna  
20 (ph). But other than that -- to me through this book here, all  
21 this stuff on our -- like these logistics and cultural context,  
22 it should be along with the other one, this one should be --  
23 kind of just borderlines it, you know. This other stuff should  
24 be backing up this -- the heavy use to the east pretty much  
25 instead of this here on the outskirts.

26  
27 MR. FLEENER: Mr. Chair, I think the big question that  
28 a lot of people have on this is that there is almost no Federal  
29 land, so even if we did give a -- even if we did support a  
30 positive c&t you'd have to drive -- I mean according to this  
31 map here, you'd have to drive between North Pole and Fairbanks  
32 and hunt on BLM land. And so because there isn't much Federal  
33 land; am I right?

34  
35 (No audible response)

36  
37 MR. FLEENER: Okay, it sounds like I might be right.  
38 But we could support it, but it looks like it would only give  
39 hunting opportunity to people on just a few square miles of  
40 land between North Pole and Fairbanks, so I don't know. I  
41 mean, I like supporting c&t determinations, but this one isn't  
42 going to get anybody any hunting opportunity. So what do you  
43 think? I mean this is more like a -- this is a State deal that  
44 we wouldn't go through, I guess, if you wanted anything done  
45 with this you'd have to take to the State. I mean would it  
46 be.....

47  
48 MR. MATHEWS: And just for the record, the land between  
49 Fairbanks and North Pole is in the North Slope Borough, so  
50 there's no Federal season, no Federal Subsistence seasons on

00082

1 that land.

2

3 MR. FLEENER: It would have absolutely no effect.  
4 There is no (indiscernible).

5

6 CHAIRMAN MILLER: Yeah, so this is just beating a dead  
7 horse looks like to me.

8

9 MR. FLEENER: Yeah, okay. Well, I'll withdraw my  
10 motion to support if the second, whoever that was, will  
11 withdraw his second.

12

13 MR. L. TITUS: We could just vote it down. Just call  
14 for the question and vote it down.

15

16 MR. FLEENER: Okay, we'll do that. Question.

17

18 CHAIRMAN MILLER: Question's been called. All in favor  
19 signify by saying aye.

20

21 (No in favor responses)

22

23 CHAIRMAN MILLER: Opposed same sign.

24

25 IN UNISON: Aye.

26

27 MR. FLEENER: I make a motion to adopt Proposal 97 to  
28 include the adjacent -- I got it written down here, include the  
29 qualified residents in adjacent subunits. And this is to  
30 support the staff recommendation.

31

32 MR. DeMATTEO: Mr. Chair, Proposal 97 is submitted by  
33 Upper Tanana/Fortymile Advisory Committee to establish Federal  
34 seasons for brown bear in Units 12 and 20(E), September 1  
35 through May 31st. There's currently Federal c&t use  
36 determinations from both of those units, which is basically for  
37 residents of Unit 12 and Dot Lake, but there are no Federal  
38 seasons.

39

40 The preliminary staff conclusion is to adopt the  
41 proposed September 1 through May 31st season for Unit 12, but  
42 adopt the current State season of August 20th through June 30th  
43 for Unit 20(E) because the proposed season would be more  
44 restrictive than that of the State.

45

46 MR. MATHEWS: Mr. Chairman, I believe your motion would  
47 be to support staff recommendation, period, correct?

48

CHAIRMAN MILLER: Correct.

49

50 MR. MATHEWS: Not the adjacent unit part?

00083

1 MR. FLEENER: Well, I did include the adjacent units.  
2 I'd still like to keep that going.

3  
4 MR. MATHEWS: Okay. This is a.....

5  
6 MR. FLEENER: Adjacent subunits.

7  
8 MR. MATHEWS: This is a season and harvest change.

9  
10 MR. FLEENER: Oh, so this one would actually be  
11 detrimental because we're only changing -- all right, I'll  
12 withdraw that part of it then.

13  
14 MR. MATHEWS: Well, does the second agree to that?  
15 Hello second.

16  
17 MR. FLEENER: Who seconded it? Nobody wants to claim  
18 it.

19  
20 MR. P. TITUS: Perhaps nobody did.

21  
22 MR. FLEENER: Yeah, they agree.

23  
24 MR. MATHEWS: Okay, so just to make it clear for the  
25 record the motion is to support staff recommendation as  
26 written. Okay, Fish and Game comments, again, I'll defer to  
27 the State or I can just summarize.

28  
29 MR. GARDNER: (Indiscernible - away from microphone)

30  
31 MR. MATHEWS: Okay, thank you. I don't know if I can  
32 make sense if it. It says amend and adopt. I think it means  
33 -- whatever. Amend and adopt. The proposed Federal season  
34 would be shorter than the State season. The Department  
35 recommends changing the season dates in Unit 20(E) to August  
36 10th through June 20th, to make them consistent with State  
37 regulations. So basically staff recommendations.

38  
39 MR. P. TITUS: I got a question. Is the State and  
40 Federal the same season or are they two separate seasons?

41  
42 MR. FLEENER: Two separate seasons. The proposal would  
43 make the Federal season shorter and nobody thinks that's a  
44 smart idea, so we would adopt it to make it the same as the  
45 State, which actually makes it longer. The Federal season is  
46 too short.

47  
48 MR. P. TITUS: Can't live by two regulations.

49  
50 MR. FLEENER: Yeah, these will be the same then.

00084

1 MR. MATHEWS: There is no Federal season now, just to  
2 make that clear.

3  
4 MR. FLEENER: Well, the proposal is a shorter season.

5  
6 MS. HENNESSY: Well, we were -- you know, we put in  
7 that proposal and we were -- we actually talked about it at our  
8 last Advisory Committee meeting in support aligning the Federal  
9 and State seasons, so if the State's recommending August 10th  
10 through June 30th, we were in support of that.

11  
12 MR. P. TITUS: Are we proposing a season? Do we have  
13 to propose a season or what? Do we have to propose a season  
14 before we put this on the books?

15  
16 MR. FLEENER: There is no season, that's.....

17  
18 MR. P. TITUS: There is not Federal season now.

19  
20 MR. MATHEWS: Correct.

21  
22 MR. FLEENER: That's what this proposal does, it makes  
23 a season.

24  
25 MR. P. TITUS: Okay.

26  
27 MR. MATHEWS: Makes a season and the committee, without  
28 seeing the minutes, but agreed to the Chair, they're the author  
29 of the proposal, has said they support an August season,  
30 starting, so in a way they're amending their proposal, so they  
31 align with the State. So the author of the proposal wants the  
32 State's to apply.

33  
34 MS. HENNESSY: What happened, I guess, last year we got  
35 a positive c&t determination for the brown bear, but there was  
36 no season.

37  
38 MR. FLEENER: Without a season, right. Yeah, we voted  
39 to support a positive c&t for brown bear but we didn't give  
40 them a season, it was an oversight, I guess, but.....

41  
42 MR. MATHEWS: The cleanest way to do it would be to  
43 amend it or withdraw your motion and say that you support the  
44 direction of the local Advisory Committee to amend their  
45 proposal to be the August, whatever it is, to align it with the  
46 State's season.

47  
48 MR. FLEENER: Isn't that the staff recommendation?  
49 That's what the motion was. The motion was to adopt staff's  
50 recommendation.

00085

1 MR. MATHEWS: Oh, I didn't know that was the.....

2

3 MR. DeMATTEO: The staff recommendation basically  
4 adopts the State season.

5

6 MR. FLEENER: It's a done deal.

7

8 MR. MATHEWS: Okay, sorry.

9

10 MR. FLEENER: Public comments.

11

12 MR. P. TITUS: Question.

13

14 CHAIRMAN MILLER: Question's been called. All in favor  
15 signify by saying aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN MILLER: Opposed same sign.

20

21 (No opposing responses)

22

23 MR. P. TITUS: Support 97.

24

25 MR. MATHEWS: Okay, I'm just going to remind you that  
26 we do have the 2:30 teleconference.

27

28 MR. P. TITUS: 2:00 or 2:30?

29

30 MR. FLEENER: 2:30.

31

32 MR. MATHEWS: 2:30. I told them maybe 2:30-2:45, so we  
33 have a little bit of give there, 2:45. So just to remind you  
34 of that. And the next proposal is 102.

35

36 MR. SHERROD: Okay, 102 is sort of the amalgamation of  
37 a number of different proposal through time that have dealt  
38 with a requested c&t for Unit 20. If you look at you map on  
39 page -- what page is it? It looks like 117, you'll see  
40 basically where there's not a lot of Federal land in Units  
41 20(F)(B)(A)(D) or (E). The lands in 20(C) are primarily park  
42 and 25 -- oh, no, 25(D) is to the north, we're out of that  
43 question.

44

45 We have no seasons, there's no Federal season in Unit  
46 20(A) -- just a minute here. There's no season in 20(C), 20(A)  
47 or 20(B). So even if we get a c&t determination, we have no  
48 season. The status of the caribou in all of these units and  
49 the number of potential users would mean if we ever opened up a  
50 season we probably would have to do an 804 determination.

00086

1 And that's sort of highlighted if you look at --  
2 there's a table at the back of the proposal, it's Appendix A,  
3 and the communities listed in the left hand column are  
4 communities, and this is for -- okay, these are communities  
5 that have either demonstrated harvest of caribou in the unit at  
6 some time or have an existing c&t, positive c&t determination  
7 and the total population comes to 20,067 individuals that this  
8 proposal basically -- are affected by this proposal.

9  
10 The other appendices show existing c&ts and so on.  
11 Appendix D shows the communities in question, it shows the  
12 areas that they've hunted in the past and it also shows the  
13 areas in which we have the most significant or the most  
14 hunting. However, it should be shown that, say, in 20(A),  
15 since 1990, only 284 caribou have been harvested. And this is  
16 under all regulations. In 20(B), since 1990, only 53 animals  
17 have been taken. In 20(D), since '90, only 142 animals have  
18 been taken and in 20(E) where we have the Forty-Mile, we have  
19 had since '90, we've had 1,750 animals taken. So we have had a  
20 number of species. taken or a number of animals taken there.

21  
22 The recommendation, basically -- what I did is I went  
23 through this, looked at the communities that basically had met  
24 the other criteria, either through -- basically through having  
25 been recognized in the past as having c&t for something. And  
26 they demonstrated harvesting caribou. And the conclusions  
27 would be in 20(A) rural residents of Cantwell, Nenana, McKinley  
28 Village and those domiciled between milepost 216 and 239.  
29 Again, this will have no effect because we have no seasons, we  
30 probably won't have.

31  
32 20(B) would be rural residents of 20(B) and Tanana.  
33 Again, we have no season.

34  
35 20(C) would be rural residents of 20(C) living east of  
36 the Teklanika River, residents of Cantwell, Manley Hot Springs,  
37 Minto, Nenana, Nikolai, Tanana, Talida, McKinley Village, and  
38 individuals between milepost 216 and 239 and between milepost  
39 300 and 309. And these are basically individuals identified in  
40 here, people that already have a c&t for moose or bear, they  
41 have a positive c&t.

42  
43 20(D) and (E) would be rural residents of 20(D) and (E)  
44 and Unit 12 north of the Wrangell/St. Elias Park and Preserve.

45  
46 20(F) and 25(D) is also in there, it would be rural  
47 residents of Unit 20(F), 25(D) and Manley.

48  
49 And, as I say, the thing that perhaps to keep in mind  
50 is this proposal is not going to provide any additional

00087

1 opportunity to anybody. There are about five or six people  
2 that have submitted it, or organizations. Stevens Village,  
3 Upper Tanana/Fortymile Fish and Game Advisory Committee, BLM,  
4 Kobuk District, Native Village of Dot Lake, Minto/Nenana Fish  
5 and Game Advisory Committee.

6  
7 MR. P. TITUS: As a member of Minto/Nenana I got to  
8 support this proposal. I'm the vice-chair. The guys from  
9 Nenana go out to the highway and kill caribou. Go toward  
10 McKinley. You can hunt in McKinley Park for subsistence, I  
11 think. I'm pretty sure, maybe. No, there was another herd  
12 there too, wasn't there? Isn't there another herd down there  
13 around Nenana?

14  
15 MR. SHERROD: In the past there was a herd down there  
16 but again, we haven't had a season in 20 years in Unit 20(C)  
17 which is where the park is, so.....

18  
19 MR. P. TITUS: But we didn't want to give up no  
20 subsistence either. We give it up on paper it's all gone.

21  
22 MR. SHERROD: Well, I think -- let me look real quick  
23 here.

24  
25 MR. P. TITUS: We'll never get it back. The government  
26 never gives back anything.

27  
28 MR. SHERROD: Currently for Unit 20(A), (C) and (D) we  
29 have -- except for the Forty-Mile Herd, we have a no  
30 determination. So currently all rural residents can hunt the  
31 area, except we have no season, so.....

32  
33 MR. P. TITUS: You got no c&t findings for Minto.

34  
35 MR. SHERROD: For 20(A), 20(C) and 20(D). And the  
36 reason I think we don't have any c&t findings for those, the  
37 State didn't make any because they basically have never had  
38 seasons.

39  
40 MR. L. TITUS: So there's no State regulations for  
41 several.....

42  
43 MR. SHERROD: There is a State hunt in -- but not a  
44 Federal hunt. There's a State hunt in Unit -- what do we have  
45 here? 20(A) has a drawing permit hunt, 20(B) has a  
46 registration hunt and a drawing permit, depending on the part  
47 of the subunit and a regular season. 20(C) has no season at  
48 all under State or Federal. 20(D) has a registration hunt, so  
49 the State does have some hunts, but the harvest coming out of  
50 there, as I say, is extremely low except for 20(E). I think if

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1 you look at -- let's see if I can find it. If you look at the  
2 table on page 119 you'll see in 20(D) there's been a -- they've  
3 issued 510 permits, there's only been 142 animals taken.

4  
5 And if you look at even in 20(E) where we have  
6 basically the Forty-Mile Herd, in '95 there was 1,154 permits  
7 issues, 144 animals taken, in '96 there was 373 permits issued  
8 and only 57 animals taken. So there's not a lot of caribou.

9  
10 CHAIRMAN MILLER: Go ahead.

11  
12 MR. L. TITUS: Well, I think one of the -- I didn't  
13 understand why we're dealing with this now, but -- the reason  
14 is because I know down the Minto Flats area, the 20(C) area  
15 they used to get caribous up there back in the '40s. I heard a  
16 lot of stories of them having caribou in that area. And they  
17 never -- I think there was one small herd that showed up couple  
18 of winters ago down there, but all the elderly people were  
19 excited to see caribou back there on that land and they  
20 disappeared again.

21  
22 And there's also the same incident from Northway. They  
23 don't have caribou up around in our area, in our village, for  
24 about 40 years. And it was just within the last 10-12 years,  
25 14 years, something like that, that the caribou came around our  
26 village. And I don't know if there's some kind of cycle or  
27 feeding ground, I don't know what it is, but I can understand  
28 even though there's no regulations there to at least have  
29 something in place.

30  
31 MR. NICHOLIA: What I really hate to see is like the  
32 Tanana residents in 20(C) if there's ever, like, caribou across  
33 that -- on the south side of the Tanana River and they're not  
34 allowed to hunt them if there ever there. I sure hate to see  
35 them miss out on that opportunity or even Manley or Minto  
36 residents.

37  
38 MR. JONATHAN: Chuck, I would like a few minutes. I  
39 would like to introduce Isabell John, an elder from Tanacross,  
40 if I can, give her a few minutes because she can't sit around  
41 here all day and she just wants to say something on subsistence  
42 here.

43  
44 CHAIRMAN MILLER: Go ahead.

45  
46 (Transcriber's note: The following testimony was typed  
47 as spoken with a minimum use of [sic] to attempt to capture  
48 what was being said.)

49  
50 MS. JOHN: I'm Isabell John from Tanacross and I live



00089

1 in here for many years, ever since I born in 1922, March 15.  
2 And I know how to live in Alaska, we know what to do, hunting  
3 and trapping. And we know when we going to stop trapping and  
4 fishing, we never throw away no food. Whatever we get our food  
5 in this Alaska.

6  
7 We raised by Alaska food, berries and everything. And  
8 we know all what's our food is in Alaska. That's how we used  
9 to be healthy and we used to strong and healthy, we work for  
10 our food and we know how much we get our food for winter. We  
11 make dry meat and dry fish and we get fish oil and grease from  
12 moose and caribou and we use skin and sinew. And we use all  
13 the bones for elders. Even now elders are just likes all my  
14 food in Alaska, what I raise from it.

15  
16 And we really need, when we elders, we really need our  
17 food. And our grandkids and our cousin, our nephew, they help  
18 us. We all help each other. And just we do everything for  
19 each other. We help each other. Now I really do a lot of  
20 things for my grandkids to teach them how we raise in this  
21 Alaska. And we don't throw away nothing, we don't waste  
22 nothing. We get all our food, how much we need in winter and  
23 summer and all -- even muskrat, we just dry. And in May, first  
24 of May we just get ducks come out and we glad to have ducks,  
25 too. All winter we don't eat ducks, so springtime we kill the  
26 ducks and we save all that for our grandkids. Our grandkids  
27 like Native food, too.

28  
29 And we teach our kids what we raised in this Alaska.  
30 And we really think our grandkids try to learn our way, how our  
31 parents raised us with our food. And we learn lot of things.  
32 Our elders, we turn around and teach our kids what we eat and  
33 how we hunt. I teach my grandkids how to shoot with target and  
34 now they learn and they know how to do it theirselves (sic). If  
35 they hungry, they go out and get grouse or rabbit or how to  
36 skin and all of that. We tell them not to waste food.

37  
38 And all in Alaska Native people we help each other.  
39 Even my nephew down there, that Pat, is down in Healy Lake.  
40 He's down there, I have nothing, I can sent word down to him  
41 and he can, if he had something, he can send a little package  
42 to me. That's how we help each other. That's my -- my nephew  
43 down there in Healy Lake, they bug him for his land. He's the  
44 first one come from there down Healy Lake.

45  
46 We know all each other in the village. Healy Lake,  
47 Northway, Tetlin and we stay over there and we move this time.  
48 And close to road so we never go out hunt too much. When we  
49 stay over there we just go out hunt, we can do our business  
50 over there. And we live on this side, we never hardly go out

00090

1 hunt. And we cross road and just hardly we go out hunt get our  
2 food. And too many non-glade (sic) just go around all over.  
3 Non-glade (sic), this mean all the whiteman cover all highway  
4 and we have no place to hunt and get our food, less our nephew  
5 and grandkids. Now my grandkids can hunt for me or my nephew,  
6 all, we help each other like that.

7  
8 And I hope -- in Mansfield, Lake Mansfield, we used to  
9 make fish for fish trap. We used to make that and with dip  
10 net, even we elders we use dip net to get our own fish. We  
11 help -- our grandkids help us and we use dip net to get our  
12 fish and there's open. Now they scared to build that bridge  
13 for weir, for dip net.

14  
15 And why are Native, that's our own way, our own village  
16 where we raised, where my dad and mom use for trapline and  
17 hunting place, we got to use that, our grandkids got to use  
18 that. They don't have to bug. We used never, nobody bother  
19 us, nobody run our life in this Alaska.

20  
21 When we teenagers we know what to do and nobody tell  
22 us. That's low, low -- you see, moose open, caribou open.  
23 Never was like that. We just go out -- when we need meat we go  
24 out about 20-40 miles and we see caribou, we kill caribou and  
25 we dry it there and we bring it and we share. We never was  
26 chase us around and boss around in this Alaska, longtime ago.  
27 And why don't Native should not be bothered. That's their  
28 land. That's their great-great-grandpa's land. They can use  
29 that and no used to come to there and "you kill moose, huh?  
30 You kill caribou?" That's low. That their food. That's our  
31 food, we raised like that. We raised by Alaska food, berries  
32 and everything.

33  
34 Our elders, if we know -- we finished school, we know  
35 how to read, how to write, we can make big book and so they can  
36 pass around whole United States and they can read and they know  
37 how Alaska Indian raised by food and use their food. As for  
38 our grandkids, our grandkids got to use our land. We teach  
39 them what to get and not to waste. That's how we get kids.  
40 And right now we turn around and teach our grandkids and our  
41 grandkids got to use our land, like my nephew over there, down  
42 there in Healy Lake. Great-great-grandkids, great-great -- all  
43 great-grandma and great-grandpa use that land way where no  
44 Whiteman in this world they have their village. I have my own  
45 village, Northway, and all the Native people, they have their  
46 own village.

47  
48 And they chase around in here one Greek man just  
49 because he's married my cousin too that, what they call down  
50 there big shot in Healy Lake. He don't belong in there, he

00091

1 should just get out of there and let them boys use that land  
2 and what they want to have -- what they want food, they can  
3 help theirselves (sic) in -- I know my aunt raised them, that  
4 boys. They're great-grandma raised them and they used that  
5 land over there and that man is big shot because he married  
6 Native ladies. He should shut up and wear a little patch. He  
7 have little log house, he should sit there and he should let --  
8 he shouldn't bother the Native boys down there. We hear about  
9 him too much and we can't do nothing. Someone should look  
10 after him and he should just get out of there, he don't belong  
11 to Healy Lake, them boys on that land, that's where their  
12 great-grandpa and great-grandma raised them.

13  
14 All that is too much. They bug us and that's too much.  
15 I hope they leave alone our grandkids. Where we used to have  
16 land they use that, I hope they let them use that and they not  
17 going to bother them. We worry, we elders and now we hear all  
18 kinds of low, low, low. That's too much for us, our elders.  
19 We never raised like that in our life. And they're going to  
20 have to read and know that's low. Us, we never say that. We  
21 get all what we want, we know how much we get. We just share  
22 with our elders, too.

23  
24 I used to take care of elders. Whole village or just  
25 one by one. Some other come, I check with them and now I'm  
26 elder, I'm in their shoes, my grandma. I used to think, gee,  
27 grandma, this is food and no -- grandma say, no, I need some  
28 duck soup or meat. And we tell each other and we cook for  
29 grandma and we help her and all that. Nowadays, I don't think  
30 this -- we scare each other. We just pray. Even we hungry we  
31 can't get nothing and we afraid each other sometime.

32  
33 And we used to stay out at Ulu Village, there's big  
34 meeting like this, all our village people was like this and  
35 they talked to each other. And they got to tell him help that  
36 lady that's widow. If caribou up big hill. One or two boys  
37 got it. If you get two caribou try to bring for that widow,  
38 she got too many kids. That's the way they make the meeting  
39 for the help each other. And they -- some ladies there alone,  
40 she can't go out get their meat, they bring some meat and they  
41 bring some fish. That's the way we raised and all the way  
42 through we always think like that. All elders we think like  
43 that.

44  
45 And now, what's going on? Just like we chased us away  
46 and that's our land, that's State, that's our land, Alaska, we  
47 raised in Alaska, where that state come from? And where they  
48 come out from? Their great-grandma and great-grandpa land?  
49 Every since 1922 I use all my land and right now I'm 77, 76 and  
50 even that they take me up with boat and I go whatever I want to

00092

1 do in Mansfield. I go out, get my gun, I still shoot birds and  
2 I still kill ducks and rabbits for myself.

3  
4 And this camp, I'm not good shape so, I let my nephew  
5 or my grandkids do that for me or my cousin. We share  
6 everything and I hope they don't bother Native people in this  
7 Alaska too much. Our grandkids and all. That's the way we  
8 want and no fish place, no dip net place, just wide opened and  
9 no camp for fishing to come in the creek in boat, boat, boat,  
10 now they quit. We just use fishnet on the lake, not much fish  
11 now. Lake Mansfield.

12  
13 And last year I was going to go down stay with my  
14 nephew for fishing and I hear that big shot down there. I  
15 don't want you tell me something, so I don't have to tell him  
16 off, so I stay away. But this year I got to go down, stay with  
17 my nephew fishing. And that -- what's his name that man?

18  
19 UNIDENTIFIED VOICE: Paul Kirstadt (ph).

20  
21 MS. JOHN: Paul Kirstadt (ph)?

22  
23 UNIDENTIFIED VOICE: Yeah.

24  
25 MS. JOHN: He's the one, he don't own down there. And  
26 this year, if I feel good, I'm going to go down fishing, he  
27 better stay away from me. I do my own business, fishing.  
28 That's not his land, that's my uncle's and my grandpa's land  
29 down there. So I'm going to go down there fishing, make dry  
30 fish for myself.

31  
32 Even Northway sometime we go up there, stay two, three  
33 days, get little fish. Sometime we go to Tetlin and get some  
34 ducks and fish and muskrat. We do that. And this time I don't  
35 think, no, their grandpa never used to say that. Nowadays, no,  
36 we can't -- you can't hunt on my land, you can't fish and you  
37 can't hunt. Now Natives start to think who said that long time  
38 ago, their grandpa never say that. Their grandma, their  
39 grandpa they share village to village. All the Native village  
40 in this Alaska we help each other. And this time I don't know,  
41 young generation, I don't know much.

42  
43 My days is really good, these great. That's how we  
44 healthy, we don't know aspirin, we don't know no medicine, our  
45 feet just with moccasin. We swim or stay till midnight and we  
46 never have running nose and we never get sick because we eat  
47 good food. And now they put -- the moose, they put him to  
48 sleep and sheep and they put to sleep, they go way out in  
49 someplace else and that medicine it's good to work and have  
50 good food or what? All this kind of things, all they do

00093

1 everything. And our ducks and meat and -- we used to trap and  
2 my dad trapped in May, in the middle of May.

3  
4 One time I went out with my dad and I was small. I big  
5 enough to walk around and I don't know what my dad looking for.  
6 And he looked for wolf, little puppy, wolf. And he find one  
7 and my dad stand around there gun and go crawl in there and get  
8 that little puppy and take it out. And even they sell that  
9 little wolf puppy. The sell that, so I don't know, me, I don't  
10 know nothing about it, so I just crawl in and I thought that  
11 was little puppy. I just crawl in and I feel around and I grab  
12 their little hand and I take them all to my dad and by this  
13 time widow man just hit him and they hit with stick and leave  
14 there and I thought we had bunch of little puppy. And I come  
15 out and where's that little puppy and my dad say, no, it's not  
16 puppy. That's little animals, we got to skin them and we got  
17 to sell it to give us money and we get our groceries. You sit  
18 there and look around for berries are still in.

19  
20 My dad skin that and we pack the skin and we come down  
21 and we have grocery store over there and we sell that skin.  
22 That's how Alaska, not much caribou. Now nobody buy nothing,  
23 so wolf just grow up and they just get tired of wolf, they  
24 don't know what to do with wolf. A long time ago they just --  
25 Native all hunt around for wolf den and they take all the  
26 puppies out and buy the skin and bone, that's the way the used  
27 to do that. And now they can't do nothing so it -- I don't  
28 know what they going to do. They told Native, go out, get your  
29 trap.

30  
31 And tomorrow, too, I have little story for you to let  
32 you know how we came in this Alaska. Thank you for listening.

33  
34 (Applause)

35  
36 MR. MATHEWS: Mr. Chairman, we're part way into 102 and  
37 we have a kind of commitment to teleconference with Eagle at  
38 2:30 or 2:45. I don't know what the direction we should do  
39 now, to leave 102 or do we close with 102 or go on to 105.

40  
41 MR. P. TITUS: One more thing on Minto Flats. Minto  
42 area, we got four tribes in our Athabaskan and one of them are  
43 the caribou tribe, so when they adopted the resources that were  
44 there, except for me. I came from a little tribe and there's  
45 no animal that's come from little tribe.

46  
47 So what we need on 102?

48 MR. L. TITUS: There's no motion.

49  
50 MR. P. TITUS: There's no motion on 102?

00094

1 CHAIRMAN MILLER: We could get back to it.

2

3 MR. L. TITUS: Since there's no Federal land there, I  
4 don't know, we (indiscernible).....

5

6 MR. FLEENER: There's Federal land in 20(C).

7

8 MR. L. TITUS: I speak in favor of adopting this  
9 regulation.

10

11 CHAIRMAN MILLER: Is there a second.

12

13 MR. P. TITUS: Second.

14

15 CHAIRMAN MILLER: Any comments?

16

17 MR. FLEENER: Are you in favor of the proposal as it  
18 stands or as the staff has amended it?

19

20 MR. P. TITUS: What's the amendment?

21

22 MR. FLEENER: Well, the staff recommendation has  
23 changed that a little bit.

24

25 MR. L. TITUS: Staff recommendation.

26

27 CHAIRMAN MILLER: In favor of staff recommendation. Is  
28 there any more comments?

29

30 MR. MATHEWS: Is the motion, then, to adopt the staff  
31 recommendation or was it to adopt the proposal as written?

32

33 MR. FLEENER: Adopt staff recommendation, but I'd still  
34 like to hear from Fish and Game and the public.

35

36 CHAIRMAN MILLER: Hey, Craig, you got anything to say  
37 on 102?

38

39 MR. GARDNER: I guess I can only speak for that portion  
40 (indiscernible)

41

42 CHAIRMAN MILLER: Got anything?

43

44 MR. SHERROD: Yeah, I excluded Lake Minchumina, it  
45 should be listed in there if you adopt this. Again, 20(C),  
46 whatever action you take is going to be pretty much moot  
47 because you'll have to establish a season. The only place we  
48 do have a season is 20(F) and that's that little piece of  
49 ground, you divide it up in three areas, the corridor, there's  
50 been one moose taken out of there in the last eight years.

00095

1 Excuse me, one caribou in the last eight years, so any action  
2 you take now, we'd have to have animals there, we would  
3 probably have to do an 804 situation, which is on a different  
4 standard, there's different criteria than this. And, you know,  
5 we'd have to establish a season and a bag limit and all that  
6 other stuff.

7  
8 So the only one of these units that would have possibly  
9 some impact is the 20(D) and (E), because you do have the  
10 Forty-Mile in there and that's basically right there is the  
11 existing c&t for that area. And again, as I say, if you open  
12 it up much more than this you got a finite number of animals,  
13 what is it 150 cap?

14  
15 MR. GARDNER: Yeah, but that's right now.

16  
17 MR. SHERROD: Right.

18  
19 MR. GARDNER: That is going to be adjusted in three  
20 more years, so.....

21  
22 MR. FLEENER: Question.

23  
24 CHAIRMAN MILLER: All in favor of Proposal 102, the  
25 staff recommendation.....

26  
27 MR. SHERROD: We need to put Minchumina in with 20(C),  
28 that was my error.

29  
30 CHAIRMAN MILLER: .....with Lake Minchumina in 20(C).  
31 All in favor signify by saying aye.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN MILLER: Opposed same sign.

36  
37 (No opposing responses)

38  
39 MR. P. TITUS: Mr. Chairman, I call for a break.

40  
41 CHAIRMAN MILLER: Five minute break.

42  
43 MR. MATHEWS: I think, Mr. Chairman, you can take. If  
44 it is exactly five minutes because we got to get Eagle on line,  
45 we had trouble with the phone earlier. Take five and then  
46 we'll get Eagle right on and do 105 and we got the Park  
47 Service.

48  
49 CHAIRMAN MILLER: Deal.

50

00096

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN MILLER: Okay, I'd like to call this meeting  
6 back to order.

7

8 MR. MATHEWS: Mr. Chairman, we have Charlie House in  
9 Eagle on the phone. Charlie, can you hear me?

10

11 MR. HOUSE: Yes, I can.

12

13 MR. MATHEWS: Okay, I need to adjust your volume here,  
14 Charlie, and then I'm going to briefly go over who's here and  
15 et cetera and then turn it over to Pete DeMatteo to layout  
16 where we're at.

17

18 Charlie House is the representative from the Eagle  
19 Advisory Committee and present here, Charlie, is the Eastern  
20 Interior Regional Advisory Council, with the Chair being Chuck  
21 Miller, Sr. out of Dot Lake. I won't go through all the staff  
22 that's present here, Charlie, but the ones that you are  
23 familiar with are obviously Pete DeMatteo, for Park Service  
24 there's Steve Ulvi, John Birch, Janis Meldrum and somebody else  
25 I may have left out. And for Fish and Game, Craig Gardner is  
26 here, the area biologist.

27

28 If you can't hear us, Charlie, please interrupt us and  
29 so we can make sure you hear us and we can hear you. And  
30 obviously, Council, if the line drops off like it has twice  
31 today, we'll try to pick up Charlie again. If the continues to  
32 drop off then we'll make other arrangements to get the  
33 information forward. So with that I'll turn it over to Pete.  
34 And, Pete, if you can verify he can you hear you then we'll  
35 keep this rolling.

36

37 MR. DeMATTEO: Mr. House, this is Pete DeMatteo, can  
38 you hear me okay?

39

40 MR. HOUSE: Yes, I can, sir, but it's not real clear,  
41 but, yeah, I can make your voice out and so we can just try it  
42 see what goes here.

43

44 MR. DeMATTEO: Is that any better?

45

46 MR. HOUSE: Yes, that is better.

47

48 MR. DeMATTEO: Very good. Mr. Chair, I'd like to start  
49 with Proposal 105 and give a very brief and, hopefully, not to  
50 confusing background of Proposal 105 which was submitted by the



00097

1 Eagle Fish and Game Advisory Committee back in November, along  
2 with three other proposals, which was Proposal 103, 106 and  
3 107, along with 105.

4  
5 Quickly, 103 was a c&t proposal which was withdrawn by  
6 the committee and also 106 and 107 which were amendments or  
7 changes to seasons and bags, which was also withdrawn by the  
8 committee.

9  
10 105, through a committee action back in January was  
11 amended by committee action by the committee. As reflected in  
12 proposal that you have in the blue handout, which I passed out  
13 to you, and you'll see the proposal on page two. If you look  
14 in the second page, halfway down, it says proposed regulation.  
15 From there, and also the following page, that is the proposed  
16 regulation.

17  
18 Basically it deals with Unit 20(E) remainder, 25(B) the  
19 Kandik Nation River portion of 25(B) and 25(C) within the lands  
20 administered by the National Park Service, namely the Yukon  
21 Charley River's National Preserve.

22  
23 To keep this as brief as possible, back in January when  
24 the proponent, the Eagle Advisory Committee made their  
25 committee action they also proposed the creation of a late  
26 winter season, which would be March 1st through March 15th, in  
27 those three subunits. When I did the analysis on this it was a  
28 preliminary rough analysis with a little bit of population  
29 information that I had obtained from the Park Service through a  
30 population survey that they did late last year. I had  
31 recommended that we adopt the proposal.

32  
33 However, since then I've taken a much closer look at  
34 the data that the Park Service collected and I see now that  
35 there is a need to place more conservative measures in the  
36 preliminary staff recommendation. If a late winter season, the  
37 March 1 through March 15 proposed season were to be established  
38 it would be important to also establish certain conservative  
39 measures along with the season. And that's with respect to  
40 considering the population dynamics of the moose in that area,  
41 the condition of the bulls in March.

42  
43 With that the preliminary staff recommendation was to  
44 put a harvest limit, a harvest cap of five bulls for that  
45 particular area, be it Unit 20(C), 25(B) and 25(C) by Federal  
46 registration permit. When five bulls were harvested then the  
47 season would be closed.

48  
49 And that's to bring you up to date as far as my input  
50 on it. And I understand, just last evening, the Eagle Advisory

00098

1 Committee had a meeting and they developed a second committee  
2 action, which you have before you on the white page. It says  
3 Eagle Advisory Committee, Committee Action.

4  
5 It says here that they wish to -- Proposal 103 which  
6 was withdrawn, it says, the Eagle Advisory Committee has  
7 reviewed its previous action and as found c&t should be  
8 determined for this area. Proposal 105, which is what I just  
9 briefed you on says the committee proposes an amendment to  
10 Proposal 105 by dropping Unit 25(C) entirely from the proposal.

11  
12 The proposed regulation amendment to Proposal 105 is as  
13 follows: The fall season is Unit 20(E) moose within the  
14 preserve only, to be August 20th through September 30th, one  
15 antlered bull. For Unit 25(B) within the preserve and August  
16 20th through September 30. Again, one antlered bull.

17  
18 Concerning the winter season, and this would contingent  
19 upon the completion of a c&t determination for moose within the  
20 preserve area, for Unit 20(E) and 25(B) it would be the same  
21 proposed March season, March 1 through 15th, one bull for 20(E)  
22 and 25(B). And there, again, they've dropped 25(C) by this  
23 committee action.

24  
25 CHAIRMAN MILLER: Any more comments? Anything else  
26 or.....

27  
28 MR. MATHEWS: I think the best use of time right now  
29 would be to hear from Charlie House on why they -- the  
30 reasoning behind their actions that they just took recently,  
31 the last day or two. Charlie, can you still.....

32  
33 MR. HOUSE: I think, you know, what we have here that  
34 we had just gone over here on your last page, you know, 103 and  
35 105. I think we got thinking about is if we had permit system  
36 right here in Eagle, I think that that would be the best way to  
37 have it set up. And we can keep, you know, pretty close tabs  
38 on, you know, what's happening over here. And I don't think  
39 it'll -- I think it'll be a very small impact on the area. And  
40 I guess we would like c&t, you know, to go along with each one  
41 these proposals. I think that would probably work the best for  
42 us in the long term.

43  
44 I don't think we're asking for that much on these extra  
45 seasons and I think it could be utilized here by the people of  
46 the area. And we all, last night, pretty much agreed that this  
47 would really probably work the best if we operated with the  
48 permits right out of Eagle here, right out of the Park Service  
49 headquarters in Eagle.

50

00099

1 And then we also had it written up that we would have  
2 to report, you know, within five days if we did have a kill so  
3 they could keep close tabs on it so when we got our five we  
4 could close it down. I think it's something that could be  
5 easily controlled here in Eagle and it just seems like it would  
6 probably work best for us if it would work for you guys.

7  
8 MR. MATHEWS: We're all just thinking right now, the  
9 phone hasn't dropped off.

10  
11 MR. FLEENER: This is Craig Fleener. One question I  
12 have, we don't have Proposal 103 before us, I don't think  
13 anyways, and I'm wondering what communities are you wanting to  
14 include in the c&t determination?

15  
16 MR. HOUSE: Well, it would be in 20(E) and 25(B) is the  
17 area that we would include in each one of these proposals, 103  
18 and 105.

19  
20 MR. FLEENER: So is he saying that all the communities  
21 in 20(E) and 25(B)? I don't have the proposal.

22  
23 MR. MATHEWS: Well, for all that are present and for  
24 Charlie, the book that they are looking at because of the  
25 previous committee action, Proposal 103 is not in the book, so  
26 we're trying to find a copy of your original 103.

27  
28 MS. MEEHAN: I think, there's 103 right here. I have a  
29 copy of 103. This is Rosa Meehan for Charlie's benefit. I  
30 just want to point out before we go too far down any of these  
31 paths we cannot introduce a c&t analysis into this year at this  
32 time. If you want to pursue this it's going to have to be in  
33 the next regulatory cycle just because of where we are in the  
34 process. And so we have to deal with the -- you know, the  
35 pieces we got in front of us, and the proposal we got in front  
36 of us is for a season. So we have to look at the season and  
37 evaluate the season with the existing c&t for that geographic  
38 area. And then if you want to amend the c&t that's going to  
39 have to happen next year.

40  
41 MR. FLEENER: So we're only looking at 105, we're not  
42 looking at 103 then?

43  
44 MS. MEEHAN: Correct.

45  
46 MR. HOUSE: Yeah, that sounds real clear with us over  
47 here and, you know, we understand that to be flexible. And,  
48 you know, whatever it takes, you know, that's fine. You know,  
49 if it takes -- if it will have to wait until the next hunting  
50 season or however you were to work it out, you have your

00100

1 schedule there that you have to work with and we'll certainly  
2 be flexible here, you know, with that.

3

4 MR. MATHEWS: Mr. Chairman, did I understand Mr. House  
5 to mean then that if this season was adopted by the Board that  
6 they would delay implementing that season until there's a c&t  
7 determination?

8

9 MR. HOUSE: Yeah, on the fax that I had sent you this  
10 morning, it talks about winter season and it would be, you  
11 know, contingent on the completion of the Proposal 103 c&t, you  
12 know, that was written there. I think you have that on there  
13 with you, don't you?

14

15 MS. MEEHAN: We do. Basically, if I understand what  
16 you're saying, Mr. House, it would be that -- essentially what  
17 you're asking to do then is to go ahead and defer this proposal  
18 until next year and then look at both 103 and your new proposal  
19 as you've got it written here; is that correct?

20

21 MR. HOUSE: I believe that is correct, yeah, we would  
22 like, you know -- with these two proposals what we're really  
23 looking at is to have the c&t attached with them is the bottom  
24 line.

25

26 MS. MEEHAN: Okay.

27

28 MR. FLEENER: And you understand that we cannot address  
29 the c&t right not so that there would be no change until next  
30 year because we would be deferring this or tabling it.

31

32 MR. HOUSE: We understand that, sir, and we're more  
33 than willing to wait till it works out with you on your  
34 schedule. It's not a problem, but the main reason for our  
35 meeting last night was to make sure that we had this  
36 information for you with a c&t, you know. I think it's no  
37 problem with us over here, we'll be more than flexible to wait.

38

39 MR. MATHEWS: I think since we have Mr. House on the  
40 line it might be wise at this moment to explain what appears to  
41 be your growing policy with c&t, how you are applying c&t, so  
42 we could pay for the phone line. But basically explain what  
43 your position is on that so he understands.

44

45 CHAIRMAN MILLER: Go right ahead.

46

47 MR. MATHEWS: Okay, thank you. No, I'm not going to  
48 explain it.

49

50 MR. FLEENER: You don't want to explain it. He's got a

00101

1 mouthful of raisins, hold on.

2

3 Well, this is Craig Fleener again and what we've been  
4 discussing -- what's been on the mind of the Council and quite  
5 a few people is doing c&t determinations that include adjacent  
6 subunits so we're not leaving people out that are in the  
7 neighboring subunit because the c&t process, as it is, tends to  
8 restrict people. And the way you guys have your Proposal 103  
9 written would restrict everybody except Eagle -- I just gave it  
10 away, but except for Eagle, Central and Circle, I believe. So  
11 the communities down river from you guys would be excluded.  
12 All the neighboring communities would be excluded in that. So  
13 what we've been thinking about doing and what we've started  
14 doing is including the adjacent subunits.

15

16 And that's it in a nutshell.

17

18 MR. HOUSE: Yeah. Well, what we're looking at is it  
19 would still be open for everybody to hunt this -- you know, we  
20 have the regular season which is probably the most, you know,  
21 probably liberal moose hunting season we have on the river.  
22 And that's for September 5th to the 25th, so it leaves a pretty  
23 open window for other people to hunt in that area. We're just  
24 talking about the area in the Yukon Charley on these proposals.

25

26 So, you know, I don't think that -- you know, our main  
27 concern is, you know, we wouldn't be cutting out other people  
28 so much, it's just kind of giving us a little open window of  
29 opportunity to hunt. But I understand where you're coming  
30 from, too, as far as if you lived, you know, pretty close to  
31 this. But as it's worked in the past there hasn't been many  
32 people coming in hunting from other units or other rural areas.  
33 It's just kind of like a little window of opportunity for  
34 locals here is all that we were really looking at.

35

36 MR. MATHEWS: My intention was not to get into a debate  
37 on c&t. My intention was to signal to the Eagle Advisory  
38 Committee that it appears to be the policy of Eastern Interior  
39 to do more comprehensive c&ts or what we're coining as adjacent  
40 subunits than to doing more defined c&t. So I suppose what we  
41 could say is we look forward to your proposal next round.

42

43 And unless Craig Gardner with the State wants to -- and  
44 Steve Ulvi -- everyone is pointing at each other here, Charlie,  
45 but anyways.....

46

47 MR. ULVI: Hi, Charlie, Steve Ulvi.

48

49 MR. HOUSE: Steve?

50

00102

1 MR. ULVI: Yeah. A couple of clarifications. One is  
2 what Craig Fleener just described to you, is a proposal in  
3 itself. The Board has not acted on that yet neither, so it's a  
4 concept. They've been talking about it here for a couple of  
5 years, I think it's a good one, it deserves serious  
6 consideration by the Board. But it is a proposal for a policy  
7 or a way to look at things.

8  
9 So I think you folks need to continue to sit back and  
10 think about what's going to serve your needs best and go ahead  
11 and work on a proposal and see how that goes at the Board  
12 meeting in May.

13  
14 The second thing, Charlie, I wanted to ask for  
15 clarification. Now it sounds as though you're willing to wait  
16 on Proposal 103, resubmit it and have that c&t determination be  
17 made so that you feel more comfortable with having a March  
18 season; is that right?

19  
20 MR. HOUSE: Yes, sir. Yeah, that's right, that's what  
21 we were looking at.

22  
23 MR. ULVI: And then the proposal that your committee  
24 sent in this morning for Proposal 105, you would still like  
25 that to be considered without the c&t determination this time  
26 around, just for the Units 25(B) and 20(E) to extend the season  
27 for one antlered bull within the preserve?

28  
29 MR. HOUSE: That's correct.

30  
31 MR. ULVI: Okay, thank you, Charlie.

32  
33 MR. HOUSE: Okay, thank you.

34  
35 MR. GARDNER: Charlie, this is Craig Gardner, sorry I  
36 missed you earlier.

37  
38 MR. HOUSE: Yes, Craig.

39  
40 MR. GARDNER: Charlie, I was kind of wondering like --  
41 we've talked about this before in your meetings, what number  
42 has Eagle kicked around that would like to see more moose  
43 hunts. I mean, just like how many more moose do you think the  
44 community and Eagle Village needs?

45  
46 MR. HOUSE: Hello.

47  
48 MR. GARDNER: Hello. I mean, do you have like, you  
49 know, like five, 10, 15 moose?

50

00103

1 MR. FLEENER: I don't think your on his mike.

2

3 MR. MATHEWS: Craig, I think you're either just going  
4 to have to move up or -- kick Pete out or. Charlie, he  
5 was.....

6

7 MR. FLEENER: Yeah, one of these microphones here.

8

9 MR. MATHEWS: Charlie, Craig's just trying to ask some  
10 questions about what you're looking for, so he'll define that  
11 further.

12

13 MR. GARDNER: Okay, we'll try again, Charlie, can you  
14 hear me now?

15

16 MR. HOUSE: Okay, yeah, that's nice and clear.

17

18 MR. GARDNER: I guess I was trying to get at how many  
19 moose -- I mean when you guys on the committee have kicked  
20 around, how many more moose do you think the community of Eagle  
21 and Eagle Village needs?

22

23 MR. HOUSE: Well, I think that, you know, we -- you  
24 know, in that area we'd be quite flexible. If it looks like we  
25 were overharvesting, we would certainly be willing to cut back.  
26 I mean, we're looking for a long-term solution on our hunting.  
27 And I don't think the impact would be more than five more  
28 moose, if that, even, on these other hunts. And especially  
29 with the March hunt, you know, we would have it set up with a  
30 permit. And we've all, you know, have talked about if there is  
31 an overharvest everybody has to, you know, pitch in. You know,  
32 like what we had done, you know, with the caribou.

33

34 But we think right now, looking at the surveys, that we  
35 could have this extra five moose, say, that we could take and I  
36 don't think that the impact would be much at all.

37

38 MR. GARDNER: Yeah, I agree with that, but I was  
39 wondering what this, you know, somewhat of 11 days of hunting  
40 in August, you know, for any bull, I almost wonder if you're  
41 not going to get, you know, a higher harvest during that period  
42 and it that harvest in itself can basically take up the need of  
43 Eagle and Eagle Village and then the March season wouldn't even  
44 be a consideration.

45

46 MR. HOUSE: Well, you know, again we'd have to leave it  
47 up to the people that are in charge of each survey. And if  
48 they think down there that we should do this, they would just  
49 have to really let us know because, you know, we're quite  
50 flexible over here, but, you know, it would just depend on how

00104

1 many people could utilize it. You know, we're hunting for meat  
2 here so in August, sure it would be nice if we could get one  
3 early. So again, it's just kind of giving us an opportunity  
4 where we would be willing to be flexible.

5  
6 If at any time they thought it was overharvest that,  
7 you know, we could work with them. So it just gives us that  
8 much more of an opportunity to take advantage of it and, you  
9 know, I don't think it's asking for that much as long as we  
10 realize that at any point, you know, if we're told that things  
11 aren't looking good that we'll have to go with the flow. So  
12 right now we think that it would be good if we could get these  
13 two proposals in. And we think that it would be a very low  
14 impact.

15  
16 MR. GARDNER: All right. Thanks, Chuck.

17  
18 MR. HOUSE: Okay, thank you.

19  
20 CHAIRMAN MILLER: Is there any more questions or  
21 comments from.....

22  
23 MR. GOOD: I have a question. What is the current  
24 bull:cow ratio and the cow:calf ratio in the area in question?

25  
26 MR. HOUSE: I'd have to go get my other information.  
27 You might talk with Steve there. They had the survey done down  
28 there. I don't know if you have any of that information with  
29 you right there, Steve.

30  
31 MR. ULVI: Yeah, we do, Charlie, we'll get John Birch  
32 on the line here. Thank you.

33  
34 MR. BIRCH: Charlie, this is John Birch. Yeah, I  
35 believe the question was what's the bull:cow ratio and the  
36 calf:cow ratios? And the bull:cow ratio is about 60 bulls per  
37 100 cows. This is based on our last survey, last November.  
38 And about 30 calves per 100 cows.

39  
40 The one thing we could emphasize is that the, you know,  
41 the people living and hunting in Alaska often think of a pretty  
42 large tracks of land, and granted Yukon Charley isn't a tiny  
43 place, but when you spread a fairly low density moose  
44 population over just Yukon Charley it's not a whole lot of  
45 moose, but I think we're in agreement with Craig that an  
46 additional five moose is not going to impact the population.

47  
48 MR. GOOD: Well, I think I probably have the reverse.  
49 I don't see why it's limited to five. It seems to me it  
50 wouldn't hurt to take six, seven, eight, 10. I don't hear any



00105

1 real reason for limiting it to five. What is the total  
2 population then? Sixty-five bulls on a 100 is really high.

3  
4 MR. BIRCH: I've got a lot more information here, I  
5 don't know if I can talk both places at the same time, use some  
6 overheads, but I think the way I can address that is we've run  
7 some modeling where you can project into time about 10 years  
8 and initially -- man, I mean 65 bull per 100 cows is a lot.  
9 And if we harvested -- the average harvest for the area that  
10 we're looking at in Yukon Charley has been about 20 moose over  
11 the last 14 years.

12  
13 MR. FLEENER: Twenty moose per year?

14  
15 MR. BIRCH: Right. Yeah, 20 moose per year over the  
16 last 14 years and about the last seven years it was up to about  
17 25 moose, so in that range. So what I did was I kind of tried  
18 to project quite a bit more, a much larger harvest, and when  
19 you get up to about 40 bulls, an average of 40 bulls per year  
20 for an extending period of time, say about 10 years, that  
21 bull:cow ratio drops quite quickly as does the total population  
22 actually starts to decrease slightly.

23  
24 Now this is all assuming everything stays exactly the  
25 way it is, you know, there's going to be great variation in  
26 weather, particularly there's going to be a lot of variation in  
27 calf survival and the recruitment of yearlings into the  
28 population. So you got to kind of realize that this projection  
29 for 10 years ahead is kind just a good look way to look at how  
30 different amounts of harvest are going to affect the same  
31 population that we have right now today. But there's going to  
32 be a lot of variation over time.

33  
34 MR. FLEENER: What did you base your harvest on, what  
35 numbers per year were you taking out with your hunt?

36  
37 MR. BIRCH: I started out taking out about 40 bulls per  
38 year and dropped that to about 35. And if we're looking at an  
39 average harvest right now, say, since the last seven years was  
40 25, say we've got about 25 and I added 10 on to that, that's 35  
41 bulls and right in there it remained about stable. The  
42 bull:cow ratio dropped down to about 35 to 40 and kind of  
43 leveled out. And that all seems really good.

44  
45 So I think our ultimate recommendation was that, you  
46 know, we probably wouldn't want to go over 10 bulls.  
47 Additional 10.

48  
49 MR. G. SAM: Mr. Chair, this was the '96 statistics  
50 you're talking about or.....

00106

1 MR. BIRCH: '97.

2

3 MR. G. SAM: Other than human, is there any other  
4 predators up there, like, wolves or.....

5

6 MR. BIRCH: Oh, yeah.

7

8 MR. G. SAM: What's the calf:cow ratio?

9

10 MR. BIRCH: Right now it's about 30, 30 calves per 100  
11 cows.

12

13 MR. G. SAM: Survival rate is good?

14

15 MR. BIRCH: And another statistic that's worth noting  
16 is that there's about 17 yearlings per 100 cows, so in the  
17 neighborhood of half those calves don't make it another  
18 full.....

19

20 MR. G. SAM: But still that's pretty good.

21

22 MR. BIRCH: Oh, yeah, it's not too bad. I mean we're  
23 not talking about something terrible, but on the other hand, if  
24 you look at the total numbers of yearlings in the whole  
25 population of Yukon Charley, you're looking at around 90 to 100  
26 yearlings. Figure about half of those are bulls, a 50:50 sex  
27 ratio. You got about 45 to 50 bulls being recruited into the  
28 population every year.

29

30 MR. G. SAM: Are there a lot of wolves up there?

31

32 MR. BIRCH: I think there's probably like six or seven  
33 wolves per 1,000 square kilometers, that sound about right to  
34 you, Craig? Maybe a few more to the south, but that's  
35 changing.

36

37 MR. FLEENER: What's the ratio per moose, do you know?

38

39 MR. BIRCH: That I don't know

40

41 MR. FLEENER: Do you know what the overall number of  
42 the moose are that you counted recently?

43

44 MR. BIRCH: Yeah.

45

46 MR. GOOD: So they take only, what, 20 moose a year,  
47 that's not very much impact on moose population.

48

49 MR. BIRCH: No, and I really should put a couple of  
50 these maps up so we can be sure of what we're talking about, so

00107

1 I'm going to move on you, Charlie.

2

3 MR. HOUSE: Okay, thank you.

4

5 MR. BIRCH: I think what it all boils down to, what  
6 we're talking about here is what piece of countryside we're  
7 talking about. And the proposal all revolving around Yukon  
8 Charley National Preserve, the Federal lands just within the  
9 preserve. And if I can pick it out here. This is what.....

10

11 MR. MATHEWS: You may want to confirm that Charlie can  
12 hear you.

13

14 MR. BIRCH: Can you hear me at all, Charlie?

15

16 MR. HOUSE: Yes, I can now. It's clear.

17

18 MR. BIRCH: Okay, I'll try to keep speaking into this  
19 microphone it seems like it helps anyway. You can't see this,  
20 Charlie, but we got a map up of the Yukon Charley and there's  
21 also the UCUS that surround the preserve, and that's the  
22 boundary, this darkest line surround here, that's the area that  
23 I drew a line on a map and these are the numbers, see if I can  
24 get them all on there, that correspond to this piece of  
25 country.

26

27 So I believe your question there was how many total  
28 moose are there. We're looking at about 1,150 moose.

29

30 MR. FLEENER: Well, I just was going through some  
31 numbers in my mind. I flew moose surveys in the Yukon Flats  
32 for the last couple of years and our bull:cow ratio is much  
33 lower than this. I don't remember our calf:cow ratio. Our  
34 total moose population in the area is about the same, I think  
35 it's around 1,200; is that right, Greg?

36

37 MR. McCLELLAN: I think about half of that, 600.

38

39 MR. FLEENER: Oh, yeah, for 1,500 square miles it would  
40 be half of that. And we have a harvest in the Yukon Flats, all  
41 the communities in Yukon Flats harvest about 150 moose a year.  
42 And we take, probably, upwards to 50 cows a year. Now, these  
43 aren't on the record but they just.....

44

45 MR. BIRCH: Out of a population of 600?

46

47 MR. FLEENER: Yes. No, I'm talking about -- there's  
48 600 25(D) West, there's about another 600 25(D) East, and  
49 there's about 1,200 actually, something like that. And when I  
50 was doing surveys for CATG, we were doing household surveys, a

00108

1 few of these moose would include up in the Upper Porcupine area  
2 which we wouldn't have counted also, so there are some moose  
3 that would be thrown in there. But there's quite a few moose  
4 being taken out of our population and a lower bull:cow ratio.  
5 I think we have pretty good calf survival but I don't have all  
6 the numbers at hand. I mean, it just seemed to me that 20 to  
7 25 moose a year being killed, it seems like they could handle  
8 quite a bit more, I don't know.

9  
10 MR. BIRCH: Well, I mean you can look at it in a pretty  
11 simple fashion about how many yearlings are there each year,  
12 you know, and.....

13  
14 MR. FLEENER: Well, plus, where are your moose being  
15 harvested? Is it extremely -- is it in an extremely localized  
16 area or is it spread over.....

17  
18 MR. BIRCH: Well, I think that's a really good point,  
19 you know, let's -- if you look at the harvest statistics and  
20 you look at this upper area of the Charley River area, in 14  
21 years there were 12 moose harvested out of that area.

22  
23 MR. FLEENER: In which area are you pointing at?

24  
25 MR. BIRCH: Okay, I'm pointing to -- well, 305 and 104,  
26 the UCUs. There were six moose in each one of those over a 14  
27 year period. So it's basically a moose a year, if you want to  
28 go on an average. So most of the moose are all harvested along  
29 the river, up the Charley a little ways, up the Nation a little  
30 ways, up the Kandik a little ways.

31  
32 Am I right there, Charlie House, does that sound right  
33 to you?

34  
35 MR. HOUSE: That is true, yep.

36  
37 MR. BIRCH: And so that's making this population that  
38 we're really talking about even smaller. And actually you can  
39 -- I did.....

40  
41 MR. FLEENER: That's why I told him numbers can be a  
42 little confusing.

43  
44 MR. BIRCH: I did do that and here we are with a  
45 smaller area. This is pretty much where we did our survey last  
46 fall, and these are the numbers that come out of that. And so  
47 we're, you know, down to a total moose of about 750 moose.  
48 That's really where the harvest is taking place.

49  
50 MR. SAYLOR: Excuse me, does Circle get advised of

00109

1 that? About harvesting of moose there?

2

3 MR. BIRCH: Oh, I'm sure they do, but that's up to.....

4

5 MR. SAYLOR: Don't they have traplines (indiscernible -  
6 away from microphone).....

7

8 MR. FLEENER: Yeah, there's trappers that go out of  
9 Circle up that way.

10

11 MR. P. TITUS: This is Phil Titus, I'm a Board member  
12 or whatever. Is it this March season a pretty late season for  
13 -- is the guy legal?

14

15 MR. BIRCH: Hey, Charlie, I think that was directed to  
16 you.

17

18 MR. HOUSE: I couldn't really quite read that, I'm  
19 sorry.

20

21 MR. BIRCH: He was just making a comment that he  
22 thought it was a pretty late season and was wondering what your  
23 response to that was? If I'm right.

24

25 MR. HOUSE: Yeah, it's true it's a late season but we  
26 did have a season in early December before and we were not able  
27 to cross the river a lot of times because of ice conditions, so  
28 we just thought, again, that this would just give us another  
29 window of opportunity for a springtime hunt.

30

31 Talking with older Natives, in the past they had hunted  
32 that way too in the spring, you know. It just -- and then in  
33 Eagle we have a lot of freezer space now, so there's no problem  
34 going into summer with meat. So we were just looking at that  
35 as another opportunity, you know, and we were just throwing it  
36 out there just to see what, you know, peoples -- you know, what  
37 they thought of it and we think that it would help us so, you  
38 know. But we're open to anybody's ideas on it.

39

40 MR. FLEENER: I guess one concern that I heard is the  
41 concern about the Quest Trail being opened. And at first I was  
42 thinking it was -- that it probably wouldn't be a big deal five  
43 more coming out either. But there's a concern about the Quest  
44 Trail being opened and the amount of people being up that way  
45 this time of year and the access will actually be pretty easy,  
46 since the Quest Trail is going to be opened. If there was no  
47 Quest Trail it probably wouldn't be very -- it would be a lot  
48 harder for people to get there.

49

50 It's still going to be restricted to the rural

00110

1 residents but there will probably be quite a few more rural  
2 residents out there since it's right around Quest time. Have  
3 you given that much thought?

4  
5 MR. HOUSE: Yes, we'll, you know, how we had it written  
6 up with the c&t it would be operated out of Eagle here, you  
7 know, with a permit so, you know, regardless of what happens,  
8 if it does get, you know, another ruling where it's going to  
9 include other people, I think that we have to have the permit  
10 system and I think that we could have some control over it that  
11 way is what we're looking at. The trails are usually opened up  
12 regardless of the Quest, it has been in the past. people travel  
13 down that way so, you know, we're going to get there one way or  
14 another and we have in the past.

15  
16 I know prior to the Quest when I lived here everybody  
17 traveled the river, either way. In fact, there were more  
18 people living down river. But, you know, it's an open idea.  
19 Yes, we have thought about these things and having it located  
20 here in Eagle with the permit system we can keep tabs on it  
21 and, again, if it looks like it's an overharvest, we're more  
22 than flexible to, you know, cut back or however they think.

23  
24 CHAIRMAN MILLER: Go ahead, Vince.

25  
26 MR. MATHEWS: Mr. Chairman, I need a clarification  
27 because we're actually debating a proposal that's not before  
28 us. The March season has been deferred. If this continues, I  
29 don't know where we're going with this.

30  
31 CHAIRMAN MILLER: Right.

32  
33 MR. MATHEWS: And if this is relating to lifting the  
34 spike-fork restriction, I think the question to the biologists  
35 and the managers are, can this population sustain this level of  
36 harvest, including sport harvest? If it can't maintain both  
37 those harvest then we got to look at closing the sport season.  
38 I mean, I don't know where we're going.

39  
40 CHAIRMAN MILLER: Go ahead, Lee.

41  
42 MR. L. TITUS: I don't know, how would you -- can you  
43 hear me?

44  
45 MR. HOUSE: it's not real clear, sir, no.

46  
47 MR. L. TITUS: How would you feel if we tabled this  
48 proposal until we come up with some kind of a c&t determination  
49 to go along with this proposal at a later date?

50

00111

1 MR. HOUSE: Yeah, that's more -- that's what we said  
2 with that is we'll just wait and see what happens there as far  
3 as us being able to get that, you know, determination for the  
4 c&t, so like the information that I have faxed over there  
5 pretty much explains it all. So, yes, I mean, that's pretty  
6 much what we have attached to it, so it'll have to be worked  
7 out right now, you know, on that end. This is our proposal  
8 pretty much that we're going to stick by so, you know, you can  
9 look at it and make your determination on it.

10  
11 MR. GOOD: Mr. Chair.

12  
13 CHAIRMAN MILLER: Yeah, Nat.

14  
15 MR. NICHOLIA: Would you like that done in formal  
16 motion?

17  
18 CHAIRMAN MILLER: To table it?

19  
20 MR. NICHOLIA: To table this.

21  
22 MR. GOOD: I'll second that.

23  
24 CHAIRMAN MILLER: Okay, I'm not sure -- any questions?

25  
26 MR. FLEENER: It sounded like it wasn't deferred when  
27 Steve asked him. He said he wanted this portion of 105 passed,  
28 but when I asked him earlier it sounded like it was deferred.  
29 Now you asked again, it sounds like it's deferred, so I don't  
30 what the deal is.

31  
32 MS. MEEHAN: I think I've been following all of this  
33 (indiscernible) and my understanding, based on the fax, is that  
34 what Mr. House would like to pursue is the top half of that fax  
35 page which is to change the fall season to make it a one  
36 antlered bull instead of a spike-fork-50. So make a change to  
37 the fall season.

38  
39 And then the second part which is the winter season to  
40 go ahead and defer that until next cycle and do a c&t at the  
41 same time. So you're acting on part of the proposal as it  
42 appears in your book and deferring the other part.

43  
44 MR. FLEENER: Okay, well, maybe we can get some --  
45 maybe we can hear from Fish and Game and whatnot.

46  
47 CHAIRMAN MILLER: Go ahead, Pete.

48  
49 MR. DeMATTEO: Just one point of clarification for  
50 everyone here is that lifting of that spike-fork antler

00112

1 restriction that, if I'm right, pertains to 20(E), Unit 20(E)  
2 only. 25(B) would stand as it is, that's one antlered bull.

3  
4 MR. ULVI: Yeah, Charlie, Steve Ulvi again. I wanted  
5 to make a couple of comments here just so folks that aren't  
6 familiar with that area can appreciate. Basically the National  
7 Park Service is willing to support this -- certainly this  
8 amended proposal just dealing with lengthening the fall season  
9 in 20(E) and 25(B) that we've come around to here. The other  
10 thing that we want to remember here is that we have one of the  
11 longest general State seasons along that river between Eagle  
12 and Circle, anywhere in the state.

13  
14 This proposal would make it certainly one of the longer  
15 road-connected subsistence Federal land season anywhere in the  
16 state. And this proposal would lengthen, by several days, as  
17 well as drop that spike-fork restriction in 20(E). We're  
18 willing to go along with that given the low density moose  
19 population information we have and then just take a look at  
20 what the reported harvest looks like next year.

21  
22 But that is a highly accessible area, road-connected at  
23 both end with about 150 miles of river in between. And at any  
24 time, as you well know, because of displacements from other  
25 parts of the state we could have more general season hunters up  
26 that way. And there is no c&t as we've talked about, so all  
27 rural residents are eligible there within the preserve. So  
28 it's something that we feel, you know, we can support his  
29 proposal as it's stands in front of us but we certainly would  
30 want to carefully watch that along with the local residents and  
31 see how it goes.

32  
33 I think it's very wise to defer the March portion of  
34 that and also come back and address the need for a c&t  
35 determination.

36  
37 MR. HOUSE: That sounds good with us here, Steve.  
38 That's what we're looking at, you know, right now.

39  
40 MR. GARDNER: Charlie, this is Craig Gardner again.  
41 Mr. Chair, I -- actually speaking for Fish and Game agree with  
42 what Steve said. I'll support the August season, you know, for  
43 20(E) and also put kind of the concern or the caveat with it  
44 that -- we'll there's a couple of things. I mean John Birch  
45 presented the information from the 1997 count that they did.

46  
47 However, I want to add a few things. We know in 1997  
48 the calf count across all of 20(E) and 12 was high. And I  
49 don't think John has information from, like, '96, '95, '94  
50 moose count. And those years actually the calf survival was



00113

1 quite low. '97, just more environmentally was kind of a bumper  
2 calf crop across a fairly large geographical region. So I  
3 wouldn't put a lot of -- I mean, I'd put stock in that number,  
4 but I wouldn't put it as a trend for that portion of 20(E),  
5 actually I think calf survival along the Yukon Corridor is  
6 actually quite low.

7  
8 Another thing that I think we really need to find out,  
9 this is an incredibly low moose -- low density moose  
10 population. I mean it was like .27, I think, on John's form  
11 and we're not expecting that to change. It's predator limited,  
12 we know that, we're not going to expect much oscillation with  
13 that moose population. At 65 per hundred, and again, John  
14 found 17 yearlings. Again, I don't think that is a trend of  
15 that area. I think yearling survival is actually getting quite  
16 low. I mean, if you only have 15-18 calves coming out a year,  
17 you can't have 17 yearlings. So basically you can probably  
18 half, you know, again, half that number the next year. I mean  
19 I don't think 17 yearlings is a normal count. In 20(E) you're  
20 looking more like nine, 10 yearling per hundred.

21  
22 And so then you look at a 65 bull per hundred cows,  
23 yes, that sounds like a lot but I'll give you some examples in  
24 our parts of 20(E). With just a limited amount of increase  
25 hunting you could take 65 bulls per hundred cows and knock it  
26 down to 40 in two years. All you're doing is increasing your  
27 harvest, let's say, from 20 to 35. I mean, and the way you  
28 have to look at it is how concentrated that harvest is. You  
29 know, basically John showed us, it's right along the corridor.  
30 True in the whole Yukon Charley the bull:cow ratio is going to  
31 stay at 65, but along the river it's going to be impacted quite  
32 quickly if that harvest increased by 15-20 bulls a year. I  
33 mean it's just a numbers game. You only got .2 moose per  
34 square mile. You just can't take very many.

35  
36 So, Charlie, I guess with this long and boring  
37 discussion is getting to is that I'll support the August  
38 season, but again come back and look at what the bull:cow ratio  
39 is doing, look what the cow:calf rate is doing and then we too  
40 will probably make a comment on that March season. Because I  
41 guess I don't really have as much confidence in a March season,  
42 especially -- I mean, this might insult a lot of people but  
43 let's face it a bull during that time of year, a lot of people,  
44 I mean, it doesn't have antlers, you got to see that little  
45 pedestal up by the ears if you not looking for other  
46 characteristics. We don't want to see cows shot. And so I  
47 just want to look at a season that really does protect that  
48 upper river moose population.

49  
50 MR. HOUSE: Well, that sounds quite clear and, yes, you

00114

1 know, we're certainly interested in your concerns. In fact, we  
2 were hoping that you were going to be here last night on the  
3 meeting. But, yeah, I mean, again, you know, we're just  
4 looking at it and we're asking about it and then you can look  
5 it over and let us know.

6  
7 Very much so for the fall season though, we'd like to  
8 see that go ahead as soon as possible with a c&t on that, but  
9 again that is something that you'll have to, you know, work  
10 out.

11  
12 CHAIRMAN MILLER: Go ahead, Lee.

13  
14 MR. L. TITUS: A motion was made and it was seconded.  
15 I'm just wondering if it's in line with what he said.

16  
17 MS. MEEHAN: I don't think it is. I think given this  
18 recent discussion it would probably help just to keep it clear  
19 to make a new motion.

20  
21 MR. GOOD: I'll withdraw the second.

22  
23 MR. FLEENER: I don't think there was a motion.

24  
25 MR. P. TITUS: There was.

26  
27 MR. L. TITUS: I made a motion to table this proposal.

28  
29 MR. GOOD: Based on what we understood, yeah.

30  
31 MR. L. TITUS: And it was seconded.

32  
33 MR. GOOD: I seconded it. I'll withdraw my second.

34  
35 MR. L. TITUS: So we'll have to make another motion  
36 then to get back on the track and deal with specifics on the  
37 original proposal.

38  
39 MR. FLEENER: What are we calling this, a proposed  
40 regulation now, is that all it is since everybody's been  
41 satisfied with dropping portions of it? Anybody have an idea?

42  
43 MR. GOOD: My question is, are we now dealing with the  
44 fall season presented by Eagle Advisory Committee Proposal 105,  
45 is that what we're limiting this to? And if that's all we're  
46 acting on then we should be able to make a motion to that  
47 effect here. Everything we've gotten so far has been  
48 supportive of it from both State and Federal; am I correct?

49  
50 MR. FLEENER: Sounds good. I'll make a motion that we

00115

1 adopt the fall season for Unit 20(E), what's that adding -- and  
2 changing it to one antlered bull and adding a longer season.

3  
4 MR. GOOD: I'll second it.

5  
6 MR. FLEENER: And 25(B), excuse me.

7  
8 MR. GOOD: I'll second it.

9  
10 MR. MATHEWS: Did the record pick up the location that  
11 he gave?

12  
13 MR. FLEENER: 20(E) and 25(B).

14  
15 CHAIRMAN MILLER: Any questions or discussion?

16  
17 MR. P. TITUS: Mr. Chairman, can this guy hear that?

18  
19 CHAIRMAN MILLER: Can you hear us, Mr. House?

20  
21 MR. HOUSE: Yeah, it's really not that clear but I can  
22 hear it, you know, bits and pieces.

23  
24 MR. FLEENER: Well, we just made a motion to adopt the  
25 fall season for Unit 20(E) and 25(B).

26  
27 MR. HOUSE: Okay, that's clear, thank you.

28  
29 MR. FLEENER: And the only comment I have is maybe they  
30 might not even need the March season with the lengthening of  
31 the fall season, that might give them the time that they need.

32  
33 CHAIRMAN MILLER: Go ahead, Pete.

34  
35 MR. DeMATTEO: Mr. Chair, just so -- and I think it's  
36 clear for everyone here, when we're saying 25(B) we're  
37 referring to the Kandik Nations River portion of 25(B) within  
38 the preserve, so that's clear for everyone. And then also Unit  
39 20(E) and then by committee action 25(C) has been omitted from  
40 the proposal. Is everyone clear on that? Okay.

41  
42 MR. FLEENER: Sounds fair to me. Question.

43  
44 CHAIRMAN MILLER: Question's been called. All in favor  
45 of the proposal.

46  
47 IN UNISON: Aye.

48  
49 MR. MATHEWS: Mr. Chairman, I think since we have  
50 Charlie on line, we've spent two years, we're going on three

00116

1 years, if proposals are submitted next round on this issue. I  
2 would highly recommend that we seriously look at having one of  
3 the next Regional Council meeting in Eagle to get this all  
4 squared away so we don't end up going on into the next century.  
5 So anyways, we may look at doing that on that because this is  
6 important to Eagle and important to the Regional Council, but  
7 we need to, you know, work on this more focused, so I think we  
8 need to seriously look at Eagle on that.

9  
10 MR. HOUSE: That sounds -- yeah, that sounds like a  
11 real good plan to us. In fact, it would be nice to have  
12 everybody here and then we could, you know, go over it then  
13 too, whatever you want to work out. But that would be great  
14 for us if you could make it here.

15  
16 MR. MATHEWS: I think that what I really am  
17 recommending that it probably be a year from now because that's  
18 when the actual proposals would be before this group. And  
19 something to do with the Quest, but anyways -- no, a year from  
20 now if we have it, but I think what we're going to need to do  
21 with indulgence from the Park Service is keep the dialogue up  
22 that we've had all along with this proposal by doing  
23 teleconferences and et cetera, if needed, with Eagle, so we can  
24 get to a final solution on this. We may be there now, but in  
25 case we're not, to do that. And what I'm impressing upon the  
26 Council members is that some of you are going to be tapped for  
27 teleconferences on this to keep this moving along.

28  
29 Thank you. With that, maybe the Chair, others want to  
30 thank Charlie House on that and then we'll say our good-byes.

31  
32 MR. HOUSE: Okay, gentlemen, we certainly thank you,  
33 and ladies, for your time and hopefully it'll all work out for  
34 everyone.

35  
36 (Multiple thank yous from the Council to Charlie)

37  
38 MR. HOUSE: Okay, take care, good-bye.

39  
40 MR. FLEENER: On 21 now. I make a motion to adopt  
41 Proposal 21 with the amendment to include qualified residents  
42 in the adjacent subunits. The staff recommendation that is.

43  
44 MR. P. TITUS: 21?

45  
46 MR. FLEENER: 21, page 164 in your yellow moose  
47 booklet.

48  
49 MR. MATHEWS: Okay. We have a motion. Proposal 21,  
50 we'll do without an overhead, if it exists or not. Proposal 21

00117

1 is an overlap proposal with Southcentral. It deals with black  
2 bear c&t determination going from a no determination to the  
3 rural residents of -- that are listed there, Chistochina,  
4 Chitina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina.

5  
6 (Off record comments -- phone)

7  
8 CHAIRMAN MILLER: Go ahead, George. You in charge?

9  
10 MR. SHERROD: I guess so. This is for Southeast (sic),  
11 I didn't do the analysis. Basically it goes from a -- the  
12 reason it's before you is potentially the fact that there may  
13 be residents of Unit 12 who have harvested bears in Unit 11.

14  
15 The conclusion, basically, was to adopt the proposal.  
16 The conclusion is on 179, giving a positive customary and  
17 traditional black bear determination in Unit 11 to the seven  
18 village and to rural residents of Unit 11. And if I read it  
19 correct, what you have proposed is to modify that so it would  
20 include, it looks like, I don't have a full map, but 13(C),  
21 (A), (D), 12 and 6, those are the adjoining subunit.

22  
23 MR. FLEENER: So your concerns about the people in 12  
24 would be taken care of with the.....

25  
26 MR. SHERROD: Your potential concerns, yeah. The  
27 amendment would grant people in 12.

28  
29 MS. MEEHAN: If I could point out. Since this is a  
30 proposal that is primarily down in Region 2, that I just  
31 suggest you might want to think about that there's another  
32 region's home proposal and so any amendments you suggest you  
33 might want to focus on amendments that would affect people  
34 within your region, rather than swinging on down into.....

35  
36 MR. FLEENER: Right. Well, we don't have -- yeah, I  
37 guess that's true.

38  
39 MR. SHERROD: Unit 12 would be the.....

40  
41 MR. FLEENER: That's what I would -- I don't have a  
42 breakdown up here so I'm kind of at a loss.

43  
44 MR. GOOD: I have a question here. You know, whenever  
45 I look at this I think about maybe I should ask. We have all  
46 of these little communities here, what happens to the people  
47 who don't live inside the community but live outside, perhaps  
48 in between them, wherever, are they excluded by not living  
49 actually in the community?

50

00118

1 MR. SHERROD: In some cases, yes, they are.

2

3 MR. FLEENER: That's why we don't want to do  
4 communities, we want do units and subunits, so we don't leave  
5 these poor little people out that live at mile 29.

6

7 MR. GOOD: That's right, they live outside the city  
8 limits and they're more rural.

9

10 MR. MATHEWS: We got a little out of order there, we  
11 didn't go through agency comments or public comments.

12

13 MR. FLEENER: Yeah, we're waiting for -- he's in the  
14 middle of his comments.

15

16 MR. GOOD: Yeah, he was commenting and I asked a stupid  
17 question.

18

19 MR. MATHEWS: Oh, no, no, no.

20

21 MR. SHERROD: No, I think we got to the point where  
22 based on Rosa's suggestion that you -- instead of all of Unit  
23 13 you would amend this to include Unit 12.

24

25 MR. FLEENER: Well, I would -- yeah, Region 9 is the  
26 region that I would be making that suggestion for.

27

28 MR. SHERROD: And maybe if any of you know, for a fact,  
29 that we have Unit 12 people hunting down there, we could put it  
30 on the record.

31

32 MR. FLEENER: Unit 12 people that hunt in Unit 11.

33

34 MR. L. TITUS: Don't we need an amendment for the  
35 actual resolution?

36

37 MR. FLEENER: No, it's good the way it sits, isn't it?

38

39 MR. L. TITUS: What's the motion?

40

41 MR. FLEENER: To adopt.

42

43 MR. SHERROD: With the -- you were going to with the  
44 addition of Unit 12.

45

46 MR. FLEENER: Yeah, with the adjacent subunit. The  
47 thing that we've been doing already. That's the only  
48 amendment.

49

50 MR. L. TITUS: Excluding all regions?

00119

1 MR. FLEENER: Only including our region.

2

3 MR. GOOD: Mr. Chairman, I think that what -- if I'm  
4 not mistaken, Craig, are you talking about the possibility of  
5 the subunit thing here? In the meeting in Anchorage with the  
6 other members of Region 2, one of the things that the  
7 representatives from CRNA addressed was that they really didn't  
8 mean to excluding anybody and this was one of the areas in  
9 which they really are, whether they intend to or not. And I  
10 think an explanation of yours, going along with this would be a  
11 good idea. It's their decision, their call, but.....

12

13 MR. FLEENER: Right.

14

15 MR. GOOD: The CRNA also was saying at the time that  
16 they were looking at possibly amending this so they wouldn't be  
17 excluding people because that wasn't their intent.

18

19 MR. FLEENER: Well, I think that will be addressed  
20 because of these proposals as our amendments are added, people  
21 will understand why we're doing it, so.....

22

23 MR. GOOD: But this -- our action here will be  
24 communicated to Region 2 and give them something to consider  
25 and CRNA also to consider to avoid putting people out.

26

27 MR. FLEENER: Yeah.

28

29 MR. MATHEWS: Okay, let me see if I can capsule where  
30 we're at. The motion is to move to adopt the proposal with  
31 adjacent subregions (sic) within Region 9.

32

33 MR. FLEENER: Subunits within Region 9.

34

35 MR. MATHEWS: Correct. And that the proposal will --  
36 your action will be directly conveyed to Southcentral. Copper  
37 River Native Association will have representatives there, I'm  
38 almost guaranteed of that.

39

40 We still need to get agency comments and local advisory  
41 committee comments on this proposal dealing with 11.

42

43 (Inaudible - away from microphone)

44

45 MR. MATHEWS: Okay, well, I'll summarize that State  
46 comments. Basically they deferred action on Proposal 21. The  
47 Department recommends the Federal Board defer action on this  
48 proposal until a comprehensive review of which communities have  
49 a customary and traditional use of black bear in Unit 11 has  
50 been completed. Deferring action will not prevent residents of

00120

1 the communities identified from continuing to harvest. That  
2 pretty much summarized theirs.

3  
4 There is comments from Wrangell/St. Elias Subsistence  
5 Resource Commission. I don't know if Wrangell wants to talk on  
6 that. Basically they support the proposal as written. The  
7 Commission recognizes that there are qualified subsistence  
8 users that should be granted positive c&t (tentative). I don't  
9 know that that means, but -- and then I'll defer to Upper  
10 Tanana/Fortymile, they did take up this Proposal 21 at their  
11 meeting.

12  
13 MS. HENNESSY: Yeah, I just have a question. First,  
14 are you moving to adopt it with the staff recommendation to  
15 include all rural residents in Unit 11? I wasn't sure of that.  
16 Okay, thanks. That was important to us.

17  
18 MR. GOOD: But this again refers us back, you know,  
19 with this -- this particular -- they've done a very nice job of  
20 outlining the position of the Ahtna people in here and they're  
21 really looking to preserve a record that will be somewhere in  
22 the -- you know, along side of the regulations or whatever  
23 showing their historical and prehistoric use of the resource.  
24 And I -- you know, regulations probably isn't the best place to  
25 have it, but it should be preserved somewhere, parallel to or  
26 whatever.

27  
28 CHAIRMAN MILLER: Any more comments?

29  
30 MR. MATHEWS: I think you need to clarify to the Upper  
31 Tanana/Fortymile. Your motion is to adopt the proposal as  
32 written in subunits within Region 9. Unit 11 is not in Region  
33 9. So if you adopt the proposal -- I don't know, are all those  
34 communities -- does that represent all of Unit 11? Her  
35 question was, is it all rural residents of Unit 11? Your  
36 motion does not say that, unless I missed something.

37  
38 CHAIRMAN MILLER: Well, it says right in the  
39 regulation, doesn't it?

40  
41 MS. HENNESSY: No, in the staff recommendations.

42  
43 MR. MATHEWS: Oh, staff recommendation. Okay, sorry.  
44 All right.

45  
46 CHAIRMAN MILLER: Is there any more comments on  
47 Proposal 21?

48  
49 MR. GARDNER: I guess I'm going to have to say  
50 something. Fish and Game, Unit 12. I don't know why we



00121

1 deferred on that, I mean, I think there's plenty of history of  
2 people in Unit 12 getting black bear. I mean in 11, they're  
3 adjacent, I mean, especially people that live along the Nebesna  
4 Road, you know.

5  
6 MS. HENNESSY: (Inaudible - away from microphone)

7  
8 MR. GARDNER: Oh, just that there's plenty of history  
9 of people who qualify for black bear in 11. They're adjacent  
10 (indiscernible).....

11  
12 MR. NICHOLIA: So you concur?

13  
14 MR. GARDNER: I do.

15  
16 CHAIRMAN MILLER: Any more comments?

17  
18 MR. FLEENER: Question.

19  
20 CHAIRMAN MILLER: Question's been called. All in  
21 favor.

22  
23 IN UNISON: Aye.

24  
25 MR. P. TITUS: What was the action on this? To  
26 support?

27  
28 CHAIRMAN MILLER: Yeah.

29  
30 MR. MATHEWS: The next proposal is Proposal 22, I  
31 believe.

32  
33 CHAIRMAN MILLER: Page 184.

34  
35 MR. P. TITUS: Again it's the same thing.

36  
37 MR. FLEENER: Very similar. I make a motion to adopt  
38 Proposal 22 with -- wait a minute, hold on one second.

39  
40 MR. MATHEWS: Mr. Chairman, I just need a clarification  
41 on that motion, is that to adopt the staff committee  
42 recommendation?

43  
44 MR. FLEENER: I said hold on a minute, I.....

45  
46 CHAIRMAN MILLER: It never got completed.

47  
48 MR. FLEENER: Yeah, I -- whole thing didn't get out of  
49 my mouth yet.

50

00122

1 MR. P. TITUS: Same as the other only dealing with  
2 brown bear, right?

3  
4 MR. FLEENER: Yeah, but the staff recommendation is to  
5 reject this one instead of support this one because inadequate  
6 evidence of contemporary uses.

7  
8 MR. SHERROD: This also would go from -- we have -- the  
9 current is no Federal subsistence priority, so this proposal  
10 was to attempt to establish a priority.

11  
12 MR. FLEENER: Well, I'll make a motion to adopt the  
13 proposal as written, Proposal 22, to include the qualified  
14 residents in adjacent subunits for, of course, Region 9.

15  
16 MR. L. TITUS: Second.

17  
18 MR. FLEENER: At least, yeah, we can get it on the  
19 table for discussion, so we can hear the pros and cons on this  
20 thing. Lee seconded it.

21  
22 MR. MATHEWS: Okay. We've already talked about it,  
23 it's brown bear in Unit 11 and we'll go to George and then  
24 we'll go to comments.

25  
26 MR. SHERROD: Yeah, basically, it the -- the analysis  
27 outlines the tradition of the Ahtna people in using brown bear.  
28 But if you flip to the justification and the conclusion -- the  
29 conclusion to not support it is based on sort of a lack of  
30 contemporary evidence. The last line basically says that, you  
31 know, if people would come forward with more information this  
32 conclusion would be reconsidered, basically. It's a lack of  
33 information or contemporary information I should say.

34  
35 And as we all know -- I mean, the Board has dealt with  
36 this in the past, the State has, for the most part, opposed any  
37 brown bear determinations. We've had Request for  
38 Reconsideration on them. The Board has held that quantity is  
39 not necessarily -- a quantity of harvest is not necessarily an  
40 important factor. The quality of harvest, sometimes, isn't  
41 important and, therefore -- I think in all the cases that we've  
42 been challenged the Board -- or they're been a request to amend  
43 it, the Board had gone ahead.

44  
45 So with that I.....

46  
47 MR. GOOD: It could also be noted that there is no  
48 Federal open season at this point, too.

49  
50 MR. MATHEWS: Okay, the State's comments on that were

00123

1 deferred also, unless Craig has some new stuff. The Copper  
2 River Native Association has presented supporting documentation  
3 describing traditional uses of brown bear by the Ahtna, however  
4 this is a case in which the available documentation on  
5 contemporary uses may be insufficient to support the eight  
6 factors.

7  
8 The other public comments we've gotten is that the  
9 Subsistence Resource Commission for Wrangell/St. Elias support  
10 the proposal as written. The Commission recognizes that there  
11 are qualified subsistence users that should be granted positive  
12 c&t determinations.

13  
14 And I don't have any record of Upper Tanana taking up  
15 this proposal.

16  
17 MS. HENNESSY: We didn't.

18  
19 MR. MATHEWS: Okay.

20  
21 MR. FLEENER: I have a question. George said that the  
22 State has opposed any effort to have a bear c&t determination.  
23 Is that just in Unit 11 or.....

24  
25 MR. SHERROD: No, no. And then it may be too strong,  
26 but I think we've dealt with Stevens Village last year. They  
27 requested a brown bear determination. This Council supported  
28 it, the Board supported it and then the State challenged it.  
29 And I believe there was one other in which the State put in a  
30 Request for Reconsideration. And their basic argument is, and  
31 they'll have a chance to, I guess, air this in front of the  
32 Board or Staff Committee is that either the harvest is too low  
33 or there's not enough animals being taken or reported being  
34 taken, that may be a better way to put it, and therefore, it  
35 shouldn't be considered as a subsistence species or one of the  
36 core species that's harvested.

37  
38 MR. FLEENER: Craig, I'd like to follow up with you.  
39 Do you know much about the feelings of the State on this  
40 specific issue with brown bear? Why they won't -- they're not  
41 supportive of some c&t determinations? Do you have any idea?

42  
43 MR. GARDNER: Actually, I don't know if there's.....

44  
45 MR. FLEENER: They deferred on this one, but he said  
46 that in the past they've rejected.

47  
48 MR. GARDNER: What area was that, George?

49  
50 MR. SHERROD: Stevens Village, brown bear

00124

1 determination.

2

3 MR. GARDNER: No, no, what area?

4

5 MR. SHERROD: Oh, that's 25(D) and I think they got it

6 20(E)

7

8 MR. GARDNER: 26 maybe?

9

10 MR. SHERROD: No, 20(E), I believe. They also got a

11 little corner up there in the road system.

12

13 MR. GARDNER: I don't know why they would be against  
14 that, I mean -- I think -- part of 25(D) I think they would  
15 because they were getting sustainable harvest on bears and, you  
16 know, to add people, I think they were against that. You know,  
17 I don't why the State's deferring on some of these other ones.

18

19 MR. G. SAM: Mr. Chair. I thought they were -- they  
20 turned it down because it was leaving out Unit 24, that's was  
21 my understanding on that one, around the black bear one. Is  
22 that right, George?

23

24 MR. SHERROD: No, the -- we changed the regulations.  
25 Correct me, Rosa, if I'm wrong, or Sue, we changed the  
26 regulations and granted Stevens Village c&t for brown bear.  
27 There was also a black bear determination but that one was not  
28 challenged.

29

30 CHAIRMAN MILLER: Is there any more comments? Hearing  
31 none.....

32

33 MR. FLEENER: Question.

34

35 CHAIRMAN MILLER: Question's been called.

36

37 (Inaudible)

38

39 MR. FLEENER: Not the staff recommendation but the  
40 proposal itself.

41

42 MR. GOOD: Support the proposal with your addition,  
43 right?

44

45 MR. FLEENER: Yes, most certainly.

46

47 CHAIRMAN MILLER: Go ahead, Vince.

48

49 MR. MATHEWS: Yeah, Mr. Chairman, I think, not to put  
50 words in the mouth of a Council member, this would be based on

00125

1 the two criteria that you used earlier in 95/96, so.....

2  
3 CHAIRMAN MILLER: Yes.

4  
5 MR. MATHEWS: Okay.

6  
7 MR. SHERROD: If I can interject here. The analysis  
8 rejected this proposal on the grounds that there wasn't  
9 contemporary use -- documentation of contemporary use, and it  
10 would probably be helpful of some thoughts if you're going to  
11 support this.

12  
13 MR. FLEENER: Well, I can certainly give some of my own  
14 personal thoughts, and I've done this at just about every  
15 meeting in the past, is that if someone has traditionally  
16 harvested an animal, just because they don't harvest one today  
17 or yesterday or the day before doesn't mean that they're not  
18 going to need it in the future. And there's plenty of  
19 traditional harvest information right here at page 184 and 185.  
20 It's just not contemporary, which means recent, I guess. But I  
21 support it on the basis that they did use it. They had -- I  
22 mean what does customary and tradition mean? Customary and  
23 tradition means what you've done in the past and what you think  
24 you're going to be doing in the future, but you base it on what  
25 you've done in the past. So according to these people, they  
26 use this animal in the past and I would support it on that  
27 basis.

28  
29 MR. GOOD: But on the other hand, there's still no  
30 hunting season, so it's kind of a moot point here.

31  
32 MR. FLEENER: If they want a hunting season they'll  
33 have to put in a proposal for that. This is recognizing their  
34 customary and traditional use of that resource.

35  
36 MR. SAYLOR: Mr. Chairman, some of these units here  
37 bring up the allotment, that's Federal land and stuff. Back  
38 when they got these allotments it was because it was either a  
39 hunting camp or somewhere they were going to build and that's  
40 where animals were most abundant, probably, for fishing and  
41 hunting. A brown bear walk through there and stuff, you know.  
42 Most likely those good hunting spots, he's going to  
43 (indiscernible) through there and they probably get a shot at  
44 him.

45  
46 MR. MATHEWS: Mr. Chairman, I'm going to beg upon Sue  
47 to verify this also. When you bring up Native allotments --  
48 Native allotments that you have a fee title to, no longer fall  
49 under Federal public lands. The thing I'm not clear of, it's  
50 getting late in the day, is those that are pending would be

00126

1 considered under this program?

2

3 MS. DETWILER: Technically speaking the Native  
4 allotments (indiscernible) Federal public lands for the  
5 purposes of Title VIII (indiscernible - away from microphone).  
6 So once they're beyond the point of being technically approved  
7 and the become certificated the title passes (indiscernible) no  
8 longer Federal public lands. I'm not sure if that  
9 (indiscernible).....

10

11 MR. MATHEWS: But the question he had as he was talking  
12 -- he didn't have question. He was saying that on the bear,  
13 the bear travel through an allotment that it wouldn't be able  
14 to be harvested under a Federal season.

15

16 MR. FLEENER: Actually I think he was speaking to  
17 tradition. The purpose for these allotments was because people  
18 had hunting camps, they had fishing camps and this is the  
19 reason that they had these allotments. This is why they were  
20 set up is because these people traditionally hunted, they  
21 picked berries, whatever, in these areas, that's why they were  
22 there.

23

24 MR. MATHEWS: Then I misunderstood, but I think we  
25 still clarified, you know, what applied to allotments.

26

27 MR. NICHOLIA: Can I say something too? I take care my  
28 Native allotments, my realty position, you know. I don't use  
29 State laws, I don't use city laws, I use Federal laws to take  
30 care of certified allotments. So they still -- you are  
31 protected by the government.

32

33 MR. FLEENER: Well, actually the question's been called  
34 on this motion, so we should probably vote on it, if there are  
35 no more interjections.

36

37 MR. GOOD: One more thing though. This is another one  
38 of those items that Copper River Native Association is  
39 intending to amend, how, I don't know, but -- so there's going  
40 to be a certain amount of flexibility in it anyway.

41

42 CHAIRMAN MILLER: All in favor of Proposal 22 signify  
43 by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN MILLER: Opposed same sign.

48

49 (No opposing responses)

50

00127

1 Hey, Vince, can we take five minutes?

2  
3 (Off record)

4  
5 (On record)

6  
7 CHAIRMAN MILLER: We'd like to call this meeting back  
8 to order, please.

9  
10 MR. MATHEWS: I think -- well, everyone can hear me, I  
11 got a big voice. I think, Mr. Chair, you mentioned to me  
12 during break there was a person who would like to testify  
13 before we started getting into a rhythm on proposals.

14  
15 CHAIRMAN MILLER: Yes.

16  
17 MR. MATHEWS: We have a mike up here, it's just to make  
18 sure we get you recorded and everybody can hear you.

19  
20 MS. D. TITUS: My name is Diane Titus, I live here in  
21 Tanacross, life-long residence. I am a member of our  
22 Tanacross, Inc., shareholder and very active member in the  
23 village here.

24  
25 One of the concerns that I have as a subsistence hunter  
26 myself and my sons being trappers for many years, my husband  
27 also traps and does lot of hunting. What I'd like to kind of  
28 bring up as a concern is I know Tanacross village itself, 95  
29 percent of our food and our lifestyle is off of subsistence,  
30 living off the land. Our main diet, like in my own household  
31 75 percent of it is all subsistence food.

32  
33 I am a shareholder of the Tanacross, Inc. Tanacross,  
34 Inc., itself owns 92,000 acres of land right here in this area.  
35 Some of it is in the back doors of our community in Tok. Many  
36 of you don't realize that. But the last fall in January the  
37 Board voted with the concerns of the shareholder who wanted to  
38 try to maintain our hunting regulations at the time of the  
39 moose hunting. And the Board voted to close the moose hunting  
40 to non-shareholders. And a paper was passed out and everybody  
41 put their descendants on there and a letter was sent out to  
42 many people. I think I seen it also in the Fairbanks  
43 newspaper, I've seen it posted in many places. So a lot of  
44 people were aware of it.

45  
46 One of the concerns that I had was the shareholders  
47 were hunting and then they see these non-shareholders, mostly  
48 non-Native, hunting on their land. And my husband, myself,  
49 were hunting on the road and we seen a moose killed and it  
50 happened to be right on our land. And we reported it to Fish

00128

1 and Game and we asked them to enforce it because they're the  
2 ones that get the rules and regulations on our private land.  
3 They're the ones that make the rules, so we asked them for  
4 support and we didn't get any.

5  
6 Their attitude, in the end, coming from 10 shareholders  
7 that are active, went out and monitored. You make the rule,  
8 you take care of it. That's what we got. So we kind of got  
9 frustrated with that part.

10  
11 One of the things that I am concerned about is the fact  
12 that Tanacross, Inc., like I said, owns 92,000 acres of land.  
13 What you would consider that in Western language? You would  
14 say that's private land. All of you are land home owners, you  
15 know that you don't want people coming in on your land to help  
16 themselves to whatever they do. That's how you would consider  
17 this 92,000 acre land.

18  
19 The Feds and State come in and they made the rules and  
20 the law, and they say this is what you got to abide with, on  
21 our land, on our private property. When we asked them for  
22 support and say that we don't want any non-shareholders to hunt  
23 on our land and to kill the moose that we live on, we asked for  
24 their support because they make the law, nothing happens. So  
25 what really is going on? I don't understand that.

26  
27 To my knowledge that same thing happened with trapping.  
28 We did the good part by closing the Sixty-Mile Butte to  
29 airplane people coming in and bringing in the airplane hunters,  
30 that worked out just beautiful because they couldn't get in and  
31 they couldn't land on the airstrip. And that worked out  
32 nicely. But we're talking more traffic on river, traffic on  
33 the highway.

34  
35 I guess my concern is how much support we're receiving  
36 from the State and Feds on trying to -- it more or less came  
37 down to say that our tribal law wasn't respected. We make the  
38 rules, we have to enforce them. And another thing that I have  
39 also -- concern that I have, I think based upon what the elder  
40 said this morning, the lady elder that was here, I think Native  
41 people, like in this community especially, the seven village  
42 within the Tanana subregion, we know our limit, we know how  
43 many moose we need to get for each village. It's not only for  
44 her family but we share and every village knows how many to  
45 get.

46  
47 One of the things that I was concerned about also is  
48 the hunting season. I think that -- I really try to talking to  
49 elders, I really kind of believe that it's a little too late in  
50 the season to have open moose for the bull. That might be one



00129

1 of the proposals Upper Tanana might want to consider, opening  
2 the moose season a little earlier because we understand,  
3 especially in this village, we know the migration of where the  
4 moose goes. We know where they go, we know what routes they  
5 take, by the time when September comes we know where they're  
6 all at and you can't get back there by boat and motor or by car  
7 or by whatever. It's way back.

8  
9 So that's the only concern that I have and I don't know  
10 if anybody welcomed any of you to the village here. I do  
11 welcome you to the village and I thank you for your time,  
12 consideration on my comment.

13  
14 CHAIRMAN MILLER: Thank you.

15  
16 MR. G. SAM: Mr. Chair.

17  
18 CHAIRMAN MILLER: Go ahead.

19  
20 MR. G. SAM: I talked with Diane earlier on this and  
21 discussed with her what we're doing in her region and we too  
22 came across this kind similar thing, but it had a different  
23 twist to it, we can't enforce it because we're not, you know,  
24 licensed to carry firearms or to enforce the laws of Federal  
25 lands, therefore, you can't receive monies to do that. And  
26 that's my understanding of that.

27  
28 I've sat here and I watched, you know, the departments  
29 and, you know, these Federal staffs, especially when the elder  
30 was talking, I kind of watched, you know, other people, you can  
31 tell a lot by peoples' interest, are they listening or are they  
32 just reading their book while somebody's talking? And while  
33 she was talking, you know, the majority were reading books and  
34 whatnot, and I don't know if you guys were really listening to  
35 what she's saying there, you know.

36  
37 And I think that's something that has to be taken into  
38 account that these people are pretty serious about it, you  
39 know, they live on the road system, it's not like they're  
40 living in rural Alaska out there, you know, like where Huslia  
41 is, you know, there's a limited access, but right here they're  
42 on the road system. And I think that really needs to be taken  
43 into account is that if they close their Native allotments to  
44 hunting, I think we deserve, you know, to give them benefit of  
45 help them secure that right. I don't know exactly which staff  
46 she was talking about, but I'm assuming (indiscernible) is you,  
47 right, Craig? So I'd like to hear what you've got to say about  
48 it.

49  
50 MR. GARDNER: I guess I kind of thought that we tried

00130

1 to do the best we could on that hunt. I came here for the  
2 Tanacross Corporation meeting and I asked about the land  
3 closure and they gave actually maps of the land that every  
4 hunter that called that wanted to hunt, you know, the river or  
5 this section, we told them about it. We passed out maps  
6 showing Tanacross land and ask them, you know, to please  
7 respect the closure.

8  
9 You know, I don't -- again, I'm not a blue shirt and I  
10 don't, you know, do trespass laws, that's as well as I could do  
11 right there. The airplane hunters I told them the Sixty-Mile  
12 Butte was closed. The next thing we did, and this one is still  
13 pending is, and I don't know if it's going to happen, but in  
14 the State regulations book one think I'm trying to push for  
15 right now is, to say, Unit 12 principal land owners, Tanacross  
16 Council, Tetlin, Northway. And basically list the groups, the  
17 private land owners and give them a phone number. Say,  
18 hunters, if you hunt Unit 12, you know, these are the principal  
19 land owners, call them and find out if there's any conflict  
20 with where you're hunting.

21  
22 You know, I guess those are the steps that I'm doing  
23 right now, so.....

24  
25 MR. G. SAM: And they have all their lands posted,  
26 that's from what I understand. And that was one of the things  
27 that was brought up. On the Koyukuk River the lands must be  
28 posted so the hunters will know that they're trespassing, for  
29 one. Is it possible that ADF&G could, you know, put up some  
30 money to maybe hire some people to mount these during hunting  
31 season?

32  
33 MR. GARDNER: No so much Fish and Game because that's --  
34 you know, we're not really into -- like I said.....

35  
36 MR. G. SAM: I mean, it was brown shirt responsibility.

37  
38 MR. GARDNER: And amount of money, so I'd say prob --  
39 no, I'm saying, you know, once it goes to the money-making  
40 decisions, they're going to say no. But I do think that  
41 through time and through -- I mean a lot of hunters call me,  
42 you know, and the staff is small, but if we tell everyone of  
43 them that call that this is -- there's a lot of private land  
44 and these are the land owners, they do have it posted. There's  
45 a map that shows it again, because let's face it once it gets  
46 off the road it's not posted. You know, it's not posted  
47 (indiscernible) in sections like that. So, you know, if we  
48 always get with the map I feel like over time that we can start  
49 seeing some respect.

50

00131

1 MR. P. TITUS: I got a question. How come on these  
2 maps it don't show these corporations as private holdings when  
3 they are? Maybe that'll solve some of the problem.

4  
5 MR. GARDNER: It's a good question and it's.....  
6

7 MR. P. TITUS: Because every hunter would probably go  
8 by this map.

9  
10 MR. GARDNER: That's right. And we talked about with  
11 the Tanacross Corporation meeting and I think what we've -- you  
12 know, we looked at in a statewide issue and you look at that  
13 map, you have a scale that's really poor. You know -- I mean  
14 19,000 acres sounds kind of large in numbers but actually if  
15 you put it in that scale you get a real kind of a fine -- you  
16 know, for anybody to know where the heck they're at it's really  
17 difficult.

18  
19 MR. P. TITUS: Another map here.  
20

21 MR. GARDNER: That's right, you know, it's really  
22 difficult but what Tanacross did they gave me, you know, much  
23 small scaled maps and so why pass those out, you know, those  
24 guys actually don't know where they're at.

25  
26 MR. P. TITUS: I mean everybody in the state that would  
27 apply for license would look at this map and say it's private  
28 land. At least they'll come and ask for permission, they  
29 wouldn't say, oh, it's opened.

30  
31 MR. GARDNER: Yeah, I was actually thinking that you'd  
32 probably get a better idea.....  
33

34 MR. P. TITUS: Well, in Minto this road -- you got road  
35 access, right? I talked to these two guys up there, they were  
36 Eagle River and Anchorage and they were hunting moose up there.  
37 I say, wow, I didn't go to Anchorage for McDonalds.

38  
39 CHAIRMAN MILLER: Go ahead, Keith.  
40

41 MR. JONATHAN: Mr. Chair, I'd like to comment on this,  
42 too. And I'd like to thank Diane for her comments. It's what  
43 I'd like to see more of from our community. It seems like we  
44 don't have much to say but having her sit there and tell you  
45 problems is what I want to hear. And on some of the stuff she  
46 said, like on our lands with -- a lot of the problems we had  
47 was like on Tanacross land, we had it posted and then the creek  
48 dried is where they used to trespass and that's where we had a  
49 lot problems with it, going down through the Tanana River in  
50 boats down there is where we had a lot of trouble. And

00132

1 shutting the Sixty-Mile Butte airstrip is where a lot of fly-in  
2 services go into.

3

4 And another thing I'd like to comment on is, like, we  
5 used to fish up Mansfield, but all the white fish -- we can't  
6 use dip nets or -- our dip net is washed out and hasn't been  
7 rebuilt for quite some time (sic) but being on the records, no  
8 fish there, you know, don't mean we never fished there. It's  
9 just a lot of boat traveling up there and more now than before.  
10 And all the fish has gone, anymore we have to go to some other  
11 places to get our white fish.

12

13 And getting back to the water rights on hunting, it's  
14 open all the way up -- all through our hunting areas and that's  
15 what needs to be part on our trespassing laws too.

16

17 MR. MATHEWS: Mr. Chairman, two things I wanted to  
18 bring up is one, for me personally, when elders speak I take  
19 extensive notes to make sure they get in the minutes, as an  
20 example and also there on the transcript. And the Federal  
21 Subsistence Program, in particular the Interior Regions, have  
22 worked hard to make sure there accessibility to elders. So if  
23 it looked like I was reading my book, I was taking extensive  
24 notes.

25

26 The next thing is we need to share something that's  
27 going on in Western Interior on this very issue. Western  
28 Interior is looking at a pilot program to develop, and probably  
29 Ruth can give me the better term, but a hunter map for 21(E)  
30 that BLM is piloting that would show this breakdown of private  
31 and Federal and State lands. But again, remember what Craig  
32 said on scale. The area when you -- you know, when you move  
33 your scale out, covering a larger area, the detail goes lower,  
34 so it gets a bit difficult, but this same issue in 21(E), we're  
35 trying one step is to make sure that all the hunters know where  
36 the lands are and what rules apply to those lands.

37

38 So that is a possibility of an option and it looked  
39 like Craig was doing that somewhat to look at. But again, the  
40 bottom line is the hunter needs to know where he or she is  
41 hunting.

42

43 And finally, when these issues come up on law  
44 enforcement matters, we don't have those tools in our bags to  
45 respond for staff. I mean it is hard for me because this is  
46 now going on since '89 that I've heard these same conversations  
47 and I'd like to respond, but there's no tools in my bag to say,  
48 yep, you'll have four brown shirts there or whatever. We don't  
49 have those tools. That's, like Rosa said, what we're given to  
50 work with is this framework. So we can't rightly respond to

00133

1 the law enforcement request.

2

3 And I was looking around to see if -- not to put  
4 pressure on them, just showing a need for the way the land is.  
5 I was looking to see if the refuge manager was here or  
6 whatever, because if it was close or on refuge lands, they had  
7 enforcement. So it's kind of difficult. Law enforcement  
8 staff, I believe, for Eastern -- I'm positive of it, but I'm  
9 just looking now, we send them announcements of these meetings  
10 and sometimes they attend and sometimes they don't. And when  
11 they do attend they listen closely to this.

12

13 So that's the options we have. I mean -- so please  
14 don't take us as not saying things because we don't want to  
15 respond to it, we have no tools to respond to those. I  
16 don't.....

17

18 MR. G. SAM: I'd like to respond to that. This is an --  
19 you know, I've said this about three or four times at  
20 different meetings now, you know. Elders get up and speak and  
21 their word is not taken as seriously as I think it should be  
22 taken. They know what they're talking about, they're not just  
23 running their mouth out just to say something, you know. I  
24 mean don't -- with all do respect, you know, I know how  
25 agencies like to hear each other talk about their reports and  
26 all that. But the thing is the people that are directly  
27 involved need to be in the process of, you know, what's going  
28 on in their region. And, you know, when springtime comes  
29 around you can't of any creek while they're hunting birds there  
30 and not see a brown shirt, they're all over the place. So you  
31 can't tell me that there's not enough funds up there to, you  
32 know, try to help out in these issues.

33

34 And, you know, I'm sure there's something that could be  
35 done. And, you know, I don't mean to come here and start some  
36 kind of war or nothing, but I'm just trying to be nice about it  
37 all. All I'm saying is that, you know, have some compassion  
38 and listen to these people what they really have to say, there  
39 is something they're saying here, you know. Like I said,  
40 they're on the road system, so they're really be pressured by  
41 all different sources, Anchorage on one corner, Fairbanks on  
42 the other end and military and maybe even me some day, you  
43 know.

44

45 That's all I have to say about that.

46

47 CHAIRMAN MILLER: Go ahead, Pat.

48

49 MR. SAYLOR: Yeah. I was the Chief of Healy Lake for  
50 like three years, we had some problems out there and we tried

00134

1 to get the State to come out and, you know, enforce some laws.  
2 And they told us there had to be somebody dead before they come  
3 in there. And when you try to get to enforce trespass on our  
4 lands, they wouldn't even come out there. There's got to be  
5 somebody dead lying there and that's what they said, I heard it  
6 with my own ears. So, you know, that's pretty drastic I would  
7 say.

8  
9 And the State, you guys got money, a million bucks got  
10 appropriated to fight against some Native situations, you know,  
11 that million bucks could have went to policing the lands and  
12 doing something positive there.

13  
14 Another thing the jails are 40 percent Natives in them  
15 jails, we make up 18 percent. It costs 96 bucks a day to stick  
16 somebody in jail for a game violation that is a felony. Now  
17 you're going to pay for that guy and who's going to take care  
18 of his family. I mean there's a lot of things that -- you guys  
19 ain't making sense here. That's pretty much directed to the  
20 State here. What's up? You know, I mean, to me if it's a  
21 personal thing you should not drag in a whole bunch of innocent  
22 people into it. If you don't like that guy or something,  
23 there's a big wide open area you guys could take it out there  
24 and beat each other up or whatever and get it over with and not  
25 drag all of somebody that's trying to get along and do the  
26 right thing, you know, it don't -- and that's the truth.

27  
28 MR. P. TITUS: Regulations or what?

29  
30 CHAIRMAN MILLER: Yeah, that's what we're going to now,  
31 we kind of got off track here a little bit. Let's see we're at  
32 RFR R97-07.

33  
34 MR. MATHEWS: Correct and basically to make it clear to  
35 everybody what an RFR is, it's a Request for Reconsideration  
36 which was submitted by the Alaska Department of Fish and Game  
37 to revisit the action last year to deal with black bear c&t  
38 determination in Unit -- I can't go by that, so someone's got  
39 to help me out on that.

40  
41 MR. SHERROD: This is goat in Unit 11 and this is sort  
42 of what we touched on previously. This is the State's response  
43 to an action taken. And in summary, if you got to page 204, it  
44 basically lines out the State's objections that there was  
45 insufficient evidence to provide for a determination for goat  
46 in Unit 11 and that they acknowledge -- on 205 they basically  
47 acknowledge that maybe some lower Ahtna communities hunted  
48 goats but that none of the communities identified in the  
49 proposal that were granted c&t by Board action, which includes  
50 Dot Lake, that's one of the reasons that this in front of you,

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1 that's why it's an overlap, should be removed.

2

3 You really don't need to take action on this, I  
4 suspect. The conclusion was basically saying that the more  
5 testimony was needed to try to support this, and I'm not sure  
6 what the Board does with this.

7

8 MR. P. TITUS: I got a question for George. How come  
9 you always say you need more information, it seems like it just  
10 denying these guys opportunity to harvest the resource in  
11 subsistence.

12

13 CHAIRMAN MILLER: George didn't say.....

14

15 MR. P. TITUS: I mean, he says we need more  
16 information, we need more information from people. That they  
17 historically harvest this resource? Isn't that information  
18 enough?

19

20 MR. SHERROD: Well, it's not me that saying we need  
21 more information, it's the State saying we need more  
22 information. That's one of the reasons we have to go through  
23 this rather laborious, cumbersome process is to try to get it  
24 down on record so when we get request like these, and we get  
25 these fairly often, that we have the ability to respond to  
26 them. And so the State is basically saying the actions that  
27 the Board took, now the Board supported this, was not correct  
28 and that there wasn't any evidence to support it.

29

30 What we're asking for now is, and this will go before  
31 the Southeast (sic) Council who has a bigger stake in it than  
32 anybody else is there more information.

33

34 MR. P. TITUS: Somebody's grandpa lived off that goat  
35 that's how they're there. That's how they're there today.  
36 Isn't that evidence enough?

37

38 CHAIRMAN MILLER: Actually it's goat.

39

40 MR. SHERROD: It's goat.

41

42 MR. P. TITUS: I know it's goat, but somebody used that  
43 to live off before. It's historical use. Isn't that evidence  
44 enough that we're alive, that our grandparents lived off the  
45 resources to make sure that we're alive today.

46

47 MR. SHERROD: All I can say, it was obviously proof for  
48 the Board. It's the State that is contesting this  
49 determination.

50

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1 MR. P. TITUS: Well, we could pass this and let the  
2 State deal with it.

3  
4 MR. FLEENER: Well, we don't have to pass it right.....  
5

6 CHAIRMAN MILLER: It's already passed. George, I have  
7 a question for you on the top paragraph, page 203. That the  
8 one that I've been fighting you guys about for a while now. I  
9 think it's the third sentence there expressing legal  
10 uncertainties. What type of legal uncertainties?

11  
12 MR. SHERROD: I did not write this, so give me a minute  
13 here.

14  
15 MR. MATHEWS: Basically -- and George can look further  
16 on it is, and Rosa can correct me. Basically we took the  
17 analysis that dealt with Proposal 22 last year and basically  
18 submitted it again in here and that was the discussion when  
19 this Council brought up a recommendation to have the Native  
20 Village of Dot Lake. This is a response to the Native Village  
21 of Dot Lake request there was legal uncertainties  
22 distinguishing between the two communities.

23  
24 CHAIRMAN MILLER: Well, that's what I was wondering. I  
25 mean, it's -- they're recognized by both the State and Federal  
26 government as two separate communities. What's the problem? I  
27 mean we each get our own separate grants from the State and  
28 from the Federal government, that's why I can't understand what  
29 the.....

30  
31 MR. SHERROD: We'll get this -- I did not write this.  
32 In the ones that I wrote I did mention it. I will see that  
33 this gets amended. As I say, the problem we had is that terms  
34 of the information available to us we have to lump the two, but  
35 you're right on this, and I'll make a note and see if we can't  
36 get that struck out of there, okay? And I apologize.

37  
38 CHAIRMAN MILLER: Sounds good. And the only other  
39 comment I got is, you know, the State closed down goat hunting  
40 years and years and years ago, so we quit hunting goat. So now  
41 we're getting penalized for not hunting goat when they said we  
42 can't hunt goat. I mean, let's -- that's kind of -- it just  
43 doesn't sit right with me, really. And, you know, they tell  
44 you, you can't do something, so you don't do it. And then now  
45 they're telling you, well, you've never done it so now you  
46 can't.

47  
48 MR. P. TITUS: It's taking away subsistence.

49  
50 CHAIRMAN MILLER: Go ahead, Lee.



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1 MR. L. TITUS: I'd like to know the reason why we're  
2 talking about this? If there's any action that this Council  
3 needs to take then we should go in that direction. Or if  
4 there's no action that needs to be taken.....

5  
6 MS. DETWILER: I can probably respond to that. After  
7 the Board passed the proposal last year the State filed this  
8 Request for Reconsideration. And rather than act on it  
9 immediately the Board wanted to send it back to the Council to  
10 give you guys an opportunity to add to the information that's  
11 already in there. And what you've said already is that you  
12 weren't able to hunt for quite a while, so if I were you I  
13 would add that into the record as part of the reason that there  
14 isn't as much information as the State thinks that there ought  
15 to be because you were.....

16  
17 CHAIRMAN MILLER: Oh, we've got copies of it, we've  
18 sent in letters and copies to -- but they just.....

19  
20 MS. DETWILER: Yeah. So basically the Board just  
21 wanted the Councils to have an opportunity to review the State  
22 Request for Reconsideration before they acted on it.

23  
24 MR. FLEENER: When was Wrangell/St. Elias established?

25  
26 MR. MATHEWS: 1981.

27  
28 MR. FLEENER: 1981.

29  
30 MR. FLEENER: And the State cut out goat hunting before  
31 then?

32  
33 CHAIRMAN MILLER: Is there any more questions or  
34 comments on this?

35  
36 MR. GOOD: Mr. Chairman, this was taken in the spring  
37 of '97, was there a season in fall of '97?

38  
39 MR. MATHEWS: That's what I was trying to get. I don't  
40 have the right book in front of me.

41  
42 MR. SHERROD: I don't believe so. No.

43  
44 MR. MATHEWS: Being how this was more of a Southcentral  
45 proposal, you could end this discussion, recommend the  
46 Southcentral proposal and leave it up to them to resubmit. But  
47 I don't know without the book in front of me, but I don't think  
48 we have a goat season in 11.

49  
50 MR. GOOD: I like the comments on page 206, public

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1 comments, do not reconsider. Prior to the establishment of the  
2 Wrangell Park, people from the entire State could hunt goats in  
3 Unit 11, et cetera. Upper Tanana/Fortymile Fish and Game  
4 Advisory Committee. I think they're on the right track.

5

6 MS. HENNESSY: Yeah, we had asked, actually, that the  
7 Board deny (indiscernible - away from microphone) of this.

8

9 MR. FLEENER: And will that require a similar motion  
10 from us if that's the direction we want to take or can we just  
11 let it slide?

12

13 MR. SHERROD: If you look -- Number 24 is actually  
14 requesting to add an additional community to it. If you are --  
15 I think if you take a positive action on that -- or you can  
16 take an action on 24 and you don't have to worry about the RFR,  
17 you'll basically cover it.

18

19 CHAIRMAN MILLER: I guess we want to have Proposal 24  
20 then.

21

22 MR. SHERROD: Okay. Proposal 24 basically would add  
23 the community of Glennallen to the contested but current c&t  
24 for goat in Unit 11. This proposal, the recommendation by the  
25 staff is to reject this proposal based on the fact that there  
26 is no harvest data that Glennallen residents have traditionally  
27 harvested goats in Unit 11.

28

29 MR. MATHEWS: The only comments that we received from  
30 Fish and Game and they're deferred, unless Craig has some new  
31 information because they're waiting to hear from the Federal  
32 Subsistence Board how it acts on RFR 97-07. So the comments  
33 are deferred, they want to hear what the Board does on the RFR.  
34 And I have no other comments, other than you've already heard  
35 the comments of the Upper Tanana/Fortymile on the RFR.

36

37 MR. SHERROD: And if I could interject. I think that  
38 Mr. Chairman brought up a really good point and that something  
39 that we, as staff, are strapped with when we do these analysis  
40 and have to use the eight factors, is if you can't hunt, and  
41 there's no record of it, then all we can we say is there's no  
42 record that they've hunted. And so when you get down to the  
43 bottom of the page it sort of a blank page, so we're not left  
44 with a lot else to say, but we can't support it because there's  
45 no evidence. And I know that is not fair at all to rural  
46 users, but it just part of the system that's there. And part  
47 of the reason that you're here is to say there is evidence, I  
48 know this or whatever. To have your knowledge and input into  
49 this.

50

00139

1 MR. FLEENER: I'd like to make a motion to adopt  
2 Proposal 24 as written.

3  
4 MR. GOOD: Second.

5  
6 MR. L. TITUS: With the staff recommendation?

7  
8 MR. FLEENER: No, they recommend rejecting it.

9  
10 CHAIRMAN MILLER: Okay, any questions or comments from  
11 the agencies? No comments.

12  
13 MR. FLEENER: I've got a question for some of the  
14 staff. Frank Entsminger says that he has personal knowledge of  
15 individual families within this community that have used this  
16 resource in the past and there's no reason why they should not  
17 be able to use this resource today. Has anybody been in  
18 contact with people from this community that Frank Entsminger  
19 has talked to?

20  
21 MS. HENNESSY: I know who they are. Is that what  
22 you're asking? There are families, six, eight families.

23  
24 MR. FLEENER: That have used these resources in the  
25 past?

26  
27 MS. HENNESSY: Right. We have a list of them and I  
28 don't have it right here but.....

29  
30 MR. FLEENER: Well, maybe you could say it into the  
31 record. I think that would help to establish some sort of  
32 record on this because you say you know of six families that  
33 have used this recourse in the past, it will definitely help  
34 the cause.

35  
36 MS. HENNESSY: You'd like to know who they are?

37  
38 CHAIRMAN MILLER: I don't think that would be necessary  
39 here, would it?

40  
41 MR. FLEENER: Would that be necessary?

42  
43 MR. SHERROD: It would be a.....

44  
45 MS. HENNESSY: A good idea?

46  
47 MR. SHERROD: Yes.

48  
49 MS. HENNESSY: Okay. Well, I'll just tell you to the  
50 best of my knowledge. The Lars Sandford (ph) family and that

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1 was primarily here Tanacross and also in Tok. And the Al  
2 Keetch (ph) family in Tok, Danny Grandguard (ph) family. Doug  
3 Hoskin (ph) family. That's only four, isn't it?

4  
5 MR. FLEENER: Do you know of anybody specifically from  
6 Glenallen?

7  
8 MS. HENNESSY: I'm sorry?

9  
10 MR. FLEENER: From Glennallen.

11  
12 MS. HENNESSY: From Glennallen, oh, I'm sorry, it's  
13 just I get -- we were looking for families from Unit 11, I'm  
14 sorry. Okay. No. Well.....

15  
16 CHAIRMAN MILLER: Go ahead, Craig.

17  
18 MR. GARDNER: I guess I'll have to speak as Craig  
19 Gardner, not Fish and Game in this, (indiscernible) used to  
20 live in Glennallen for a lot of years and I'm sure Frank could  
21 come up with the name of families but, you know, not having --  
22 you having the harvest data and I not having it in front of me  
23 right now. The Scribner (ph) family would show a history, I  
24 would think Ralph (ph) family would show a history. I was  
25 thinking of all the goat and sheep hunters I know from down  
26 there. Mark McMahon (ph). I mean there's all those people and  
27 the problem is and what you guys also face in a lot of other  
28 areas, Glennallen is, what, six miles from Tazlina, 11 miles  
29 from, you know, Gulkana, 16 miles from Copper Center. So a lot  
30 of these families just kind of live interspersed, all around,  
31 so where does Glennallen actual township ends and something  
32 else starts.

33  
34 And so, I mean, you figure Glennallen sits right in the  
35 middle of these communities that have just been given positive  
36 c&t and for Glennallen not to -- and especially when I know the  
37 families in there and how hard they hunt for sheep/goat and  
38 whatever had four feet and fur. I'd be quite surprised if  
39 Frank doesn't have a list of names.

40  
41 CHAIRMAN MILLER: Thank you. Is there any other  
42 comments?

43  
44 MR. MATHEWS: Just so I am clear, you moved to adopt  
45 the proposal as written, not with subunits, is that.....

46  
47 MR. FLEENER: Right.

48  
49 MR. GOOD: Mr. Chairman, one last thing. I'd give  
50 George a source for information. I'd try contacting Kenny

00141

1 Saylor. He actually lives in Gakona Junction but he's a real  
2 old, old timer who is amazing as far as he gets around,  
3 absolutely amazing, he knows everything there.

4  
5 MR. L. TITUS: I'd just like to say I'd like to -- we  
6 have never -- any response from Southcentral Council on this  
7 particular proposal?

8  
9 MR. MATHEWS: Well, Southcentral meets after we do,  
10 they meet the first week of March.

11  
12 MR. L. TITUS: This is within their jurisdiction and I  
13 don't why we're having to -- prior to the Council that has  
14 jurisdiction over it.

15  
16 MR. MATHEWS: Because the c&t determination has Dot  
17 Lake in it and because of Dot Lake being in there, you're  
18 adding another community because this Council agreed to adding  
19 another community because it could impact Dot Lake. That's why  
20 it's before you. Again, that's the difficulty of doing  
21 (indiscernible - away from microphone).....

22  
23 CHAIRMAN MILLER: Ultimately it will be their decision,  
24 they're just asking what we think.

25  
26 MR. MATHEWS: I can't speak for the Board but most  
27 likely since most -- 90 percent of the communities there are  
28 Southcentral communities, it's possible the Board would look  
29 more favorable to the recommendation of Southcentral. I don't  
30 know if Wrangell/St. Elias (indiscernible) or not.

31  
32 MS. MELDRUM: I don't think they get this proposal in  
33 (indiscernible - away from microphone).....

34  
35 MR. MATHEWS: The reason I bring that up is because  
36 there's a pretty good overlap between the Southcentral and  
37 Subsistence Resource Commission that it may give an indication  
38 where Southcentral will go, but -- I mean, you can make it  
39 clear in your motion that you're only speaking from Eastern  
40 Interior perspective and would honor the respect of  
41 Southcentral, something to that effect.

42  
43 MR. FLEENER: Yeah, we can easily refer to the  
44 Southcentral decision because it's not -- basically it's not  
45 going to effect anything in our region. I basically -- I would  
46 support voting yes on it because of the -- it sounds like  
47 there's an awful lot of evidence of seven, eight, nine  
48 communities that have subsisted on this animal in this unit,  
49 but, I could easily also just defer to Southcentral since it is  
50 their area.

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1 MR. L. TITUS: Is that an amendment or withdrawal  
2 or.....

3  
4 MR. FLEENER: We can just vote on  
5

6 CHAIRMAN MILLER: Withdraw it and defer it?  
7

8 MR. FLEENER: Sure. Somebody needs to withdraw the  
9 second.

10  
11 MR. GOOD: Yeah, I did. Okay, I'll withdraw. I had to  
12 remember I seconded it.

13  
14 MR. FLEENER: I'll make a motion to defer this to  
15 Southcentral region's recommendation.

16  
17 UNIDENTIFIED VOICE: Second.

18  
19 MR. SHERROD: I'm wondering if you want to take some  
20 sort of action on Dot Lake. Defer the other communities to  
21 their discretion but if you have a strong feeling, and I think  
22 Chuck does, no matter what they do you want Dot Lake in there,  
23 you should.....

24  
25 MR. FLEENER: Well, according to the Proposal Dot Lake  
26 is in there.

27  
28 MR. SHERROD: It is in there but you've also got that  
29 RFR there, too, so you need to do something to, at least, react  
30 to the RFR.

31  
32 MR. FLEENER: Oh, the RFR, I see, okay.

33  
34 MR. GOOD: Mr. Chairman.

35  
36 MR. FLEENER: I see, so if we would have supported this  
37 we wouldn't have had to deal with the RFR and now that we're  
38 not supporting it we have to deal with the RFR still here.

39  
40 MR. GOOD: Mr. Chairman, I move that we reject the RFR.

41  
42 MR. FLEENER: I'll second it.

43  
44 CHAIRMAN MILLER: Any questions?

45  
46 MR. FLEENER: Question.

47  
48 CHAIRMAN MILLER: The question's been called. All in  
49 favor.

50

00143

1 IN UNISON: Aye.

2  
3 CHAIRMAN MILLER: Opposed.

4  
5 (No opposing responses)

6  
7 MR. FLEENER: We handled that one didn't we.

8  
9 MR. GOOD: We're quick.

10  
11 MR. MATHEWS: So no action was taken on 24 then,  
12 correct?

13  
14 MR. FLEENER: Yeah, we deferred it to Southcentral.

15  
16 MR. MATHEWS: No, that didn't pass.

17  
18 MR. FLEENER: Yeah, there's a motion and nobody  
19 seconded it yet, did they?

20  
21 MR. P. TITUS: Second.

22  
23 CHAIRMAN MILLER: Okay, now, it's been seconded.

24  
25 MR. FLEENER: Question.

26  
27 CHAIRMAN MILLER: Question's been called. All in favor  
28 of deferring Proposal 24 say aye.

29  
30 IN UNISON: Aye.

31  
32 CHAIRMAN MILLER: Opposed same sign.

33  
34 (No opposing responses)

35  
36 MR. FLEENER: I don't like the word, defer, maybe we  
37 should call it refer. Not refer, but refer.

38  
39 MR. MATHEWS: Mr. Chairman, you just need to note that  
40 Proposal 25 through 29 in your book, they've been deferred --  
41 the Board has deferred action on these proposals and there's a  
42 letter here just so you know they've been deferred and that's  
43 why they're not in front of you.

44  
45 MR. P. TITUS: Yes, okay, so noted, let's move on.

46  
47 MR. FLEENER: I like the Staff recommendation on this  
48 one. This effects Region 9.

49  
50 MR. MITCHELL: I'm Carl Mitchell, I'm the biologist at

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1 Wrangell-St. Elias National Park. I'll recap this real quick.  
2 Essentially the proposed closure is based on the Mentasta  
3 Caribou Herd Cooperative Management Plan that was signed off in  
4 1995. The Mentasta Caribou Herd has been declining since the  
5 mid-80s. It's declined from approximately 2,600 animals to  
6 around 600 in the last 10 years.

7  
8 The cooperative management plan has a couple of keys  
9 based on herd size, overall herd size, calf recruitment and  
10 bull/cow ratios. The last year -- the last survey that we did  
11 in September '97, the bull/cow ratio was still above the cutoff  
12 point, but the calf recruitment, the two year running mean,  
13 calf recruitment was below the target specified by the plan.  
14 That's a trigger that forces us to propose closure of that  
15 hunt.

16  
17 We realize that caribou are important to the local  
18 communities, but even with the caribou permits available the  
19 last few years they were not used. We only know of one or two  
20 caribou harvested even though 15 permits were available each  
21 year. And we want to emphasize that there are other resources  
22 available. There are Nelchina caribou in the area, there are  
23 moose and sheep available for subsistence uses. The Park  
24 closed the season on the Mentasta caribou between 1992 and 1995  
25 and did reopen this season. So we're not trying to get rid of  
26 subsistence use of this herd for the long-term, we're just  
27 following the plan that was signed off by the commission.

28  
29 So if anybody's got any questions, I'll try and answer  
30 them.

31  
32 MR. P. TITUS: Is there a lot of predators on this  
33 herd?

34  
35 MR. MITCHELL: Yeah. Calf recruitment is low because  
36 of wolf and bear predation on calves. Calf survival is very  
37 poor.

38  
39 MR. P. TITUS: Brown bear and wolves, right?

40  
41 MR. MITCHELL: What's that?

42  
43 MR. P. TITUS: Brown bear and wolves, right?

44  
45 MR. MITCHELL: Yeah. We just finished a four year  
46 research study and there are numbers on paper. We know that  
47 that's the reason for the decline. We also know that the Park  
48 Service is not going to get into predator control. So if  
49 that's where you're headed.....

50



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1 MR. P. TITUS: No, no. Well, that brown bear proposal  
2 we did say no open season or what?

3  
4 MR. GOOD: Except for wolves and bears. They'll  
5 continue to have an open season.

6  
7 MR. P. TITUS: No, there was a brown bear proposal.

8  
9 MR. MATHEWS: I think I anticipated confusion on why  
10 this proposal is before you. Others have proposal books in  
11 front of them, I mean the regulation books, but I believe you  
12 have a C&T determination for 11 for residents in Region 9 and  
13 that's why this proposal is before you. Lee Titus was on the  
14 Mentasta Caribou -- no you weren't, oh, Jeff was. One of your  
15 past council members was on the Mentasta Caribou Management  
16 Planning group. So without seeing the C&T, that's why this is  
17 in front of you.

18  
19 MR. FLEENER: Even though we're not adjusting the C&T  
20 and all of these communities are not in Region 9. None of  
21 these communities are in Region 9. We're not doing anything to  
22 change the C&T, so really we -- I mean what we say doesn't --  
23 isn't going to matter a hill of beans on this, is it? We're  
24 not addressing C&T determination, we're just.....

25  
26 MR. MATHEWS: We're addressing a season and I need to  
27 hear the.....

28  
29 MR. FLEENER: A season that only effects communities  
30 outside of our region though.

31  
32 MR. MATHEWS: Well, I don't know what the C&T  
33 determination is for lack of caribou.

34  
35 MR. FLEENER: Well, the former regulation said that  
36 it's closed to everyone except residents of Chitina,  
37 Chistochina, Copper Center, Gakona, Gulkana, Mentasta and  
38 Tazlina, that's all of them. They're closing the season, that  
39 wouldn't effect us.

40  
41 MR. MATHEWS: I don't know if.....

42  
43 MR. FLEENER: Does that effect us Pete?

44  
45 MR. MITCHELL: What Vince is getting at is the C&T  
46 determination is Unit 11, north of the Sanford, rural  
47 residents, Unit 11, 12, 13(A), (B) (C) and (D). And then  
48 residents of Chickaloon and Dot Lake.

49  
50 MR. FLEENER: However, there's no open season for them

00146

1 because the existing regulation has it closed to everybody  
2 except these several communities that I mentioned.

3  
4 MR. MITCHELL: Right. But he's saying that's how it  
5 got in here.

6  
7 MR. FLEENER: Okay.

8  
9 MR. MATHEWS: It really shouldn't have been in there.

10  
11 MR. MITCHELL: That's what he's saying.

12  
13 MR. FLEENER: Okay. I'll move to defer this to  
14 Southcentral Region's recommendation then.

15  
16 MR. GOOD: Second.

17  
18 CHAIRMAN MILLER: Any questions?

19  
20 MR. FLEENER: Question.

21  
22 CHAIRMAN MILLER: Question's been called, all in favor.

23  
24 MR. FLEENER: Thank you, sir. Maybe in our forthcoming  
25 books that we have, we can put a little bit more information on  
26 this that says that we have a C&T determination in this area so  
27 I'll at least know why it's in the book. You know what I'm  
28 saying? Does that sound -- because just by looking at this, it  
29 doesn't look like we have any effect on it. But if we do have  
30 a C&T determination, I can see why there's a reason to be here.

31  
32 MR. MATHEWS: We can do that.

33  
34 MR. FLEENER: Thank you, Mr. Mathews.

35  
36 MR. MATHEWS: The next proposal is two proposals, if I  
37 got it right, 26 and 27, which deal with -- boy, I hope I get  
38 this one right, Unit 11 goat. It's dealing seasons again. And  
39 I guess we'll go to Pete.

40  
41 MR. DeMATTEO: Proposal 26 was submitted by Upper  
42 Tanana Fortymile Advisory Committee, which would create a  
43 season for goat in Unit 11 extending August 25 through December  
44 31, one goat by Federal registration permit. Proposal 27,  
45 which was submitted by Copper River Native Association would  
46 create a mountain goat season for Unit 11 extending August 10  
47 to September 20, with a harvest limit again of one goat by  
48 Federal registration permit only. And since both of these  
49 proposals deal with the same species in the same area they  
50 decided to lump the analysis together.

00147

1           The preliminary Staff conclusion is to support Proposal  
2 26 and to reject Proposal 27. On the basis that Proposal 27  
3 offers a harvest window, but that window is basically August  
4 10th through September 20th. And if your intent is to provide  
5 a subsistence season for goat, then certainly you'd be  
6 considering the condition of the meat, the quality of the meat,  
7 and until you get to late August and September, the quality of  
8 the meat for food is questionable and also the condition of the  
9 hide. So the better deal of the two is Proposal 26, which has  
10 the more liberal season of August 25 through December 31.

11  
12           MR. MATHEWS: Okay, the Fish and Game comments. I  
13 gather we're going to take these up together or do we want to  
14 do them.....

15  
16           MR. FLEENER: We're going to have to do them separate,  
17 we can't approve both of them because they conflict with each  
18 other.

19  
20           MR. MATHEWS: Okay. I'll make that clear then on the  
21 record. Proposal 26, they support if amended. Federal hunt  
22 being proposed is unnecessary but we do not oppose this  
23 proposal if it's amended to be consistent with existing State  
24 registration goat hunt in Unit 11. If a community is found to  
25 have customary and traditional uses of goats in Unit 11 it can  
26 hunt in the park using a State permit.

27  
28           Summary of comments, I hope it's for 26 is, they  
29 support as amended proposal to establish a season of the 25th  
30 of August to November 30th by registration permit within  
31 Wrangell-St. Elias. That's from the Wrangell-St. Elias  
32 Subsistence Resource Commission. Upper Tanana Fortymile didn't  
33 give comments, so I'll defer.....

34  
35           MS. HENNESSY: We were happy with SRC amendments also,  
36 the recommendations to go from August 25th through November  
37 30th. And was this including the Park and Reserve?

38  
39           MR. FLEENER: Within the Park it says.

40  
41           MS. HENNESSY: For some reason we were under the  
42 impression that it was Park and Preserve. Just the Park?

43  
44           MR. DeMATTEO: The proposal -- let's break this down so  
45 it doesn't get too confusing, Proposal 26 would serve -- would  
46 open National Park lands to goat hunting by resident zone  
47 communities from August 25 to December 31st, okay. Proposal 27  
48 would open up park lands, resident zone communities from August  
49 10 through September 20 on National Preserve lands. Is  
50 that.....

00148

1 MS. HENNESSY: We were happy with that 26, the way the  
2 season reads, August 25th through November 30th.

3  
4 MR. DeMATTEO: The Park Service Staff just informed me  
5 that the SRC said Park and Preserve.

6  
7 MR. FLEENER: They want to amend it to say Park and  
8 Preserve? And who is the originator of this, Copper River  
9 Native Association?

10  
11 MR. P. TITUS: No, Fortymile.

12  
13 MR. MATHEWS: 26 is Upper Tanana Fortymile, local Fish  
14 and Game.

15  
16 MR. DeMATTEO: Right.

17  
18 MR. MATHEWS: And there was one last public comment  
19 from Mike Sollee from Ketchikan and he was just saying that it  
20 was going to end up with a modest harvest of goats. So that  
21 would be 26. Public comments on 27, I don't know if you want  
22 those now or how do you want to go forward?

23  
24 MR. FLEENER: Let's do it separate. Is there an  
25 existing C&T determination for goat in 11, I take it that there  
26 is?

27  
28 MR. DeMATTEO: Yeah, it's -- the current determination  
29 is residents of Unit 11, residents of Chitina, Chistochina --  
30 read that will you.

31  
32 MR. SHERROD: Okay, Chistochina, Chitina, Copper  
33 Center, Gakona, Gulkana, Tazlina, Mentasta Lake, Tonsina and  
34 Dot Lake, the communities. And again, that's the one that the  
35 RFR addressed in the last proposal. And this is adding a  
36 season as Mr. Good pointed out, we didn't have a season there --  
37 with the C&T, I think you pointed that out.

38  
39 MR. FLEENER: Okay, I'll move to adopt Proposal 26.

40  
41 MR. GOOD: Second.

42  
43 MR. FLEENER: Staff recommendation.

44  
45 MR. MATHEWS: Was that Staff recommendation?

46  
47 MR. FLEENER: Yes.

48  
49 MR. GOOD: Mr. Chairman, I have a couple comments to  
50 make. First, the later you get that goat, that hide really

00149

1 makes a tremendous difference. I've probably killed more goats  
2 than anybody around here and I will guarantee you I've eaten  
3 them all and I take care of the hides, everything you know.  
4 But August is really an early time. I wouldn't really, if I --  
5 if you were going to utilize that hide it'd be better to wait  
6 until like the first of October even. But you start running  
7 into access problems. Although I've taken goats as late as  
8 January 20th, something like that. The only concern I would  
9 have here is that it does say one goat and I would like to have  
10 this very carefully monitored. It doesn't say that you should  
11 take a billy, it doesn't take that you should not take a nanny  
12 with a kid. And those can impact the population pretty  
13 quickly, you know, I'd be worried about nannies being taken  
14 with kids, that's not the best idea.

15  
16 MR. FLEENER: Has Wrangell-St. Elias looked at what  
17 effect that would have?

18  
19 MR. MITCHELL: We don't have very good information on  
20 that. The goat herds there, most of the biological impact was  
21 estimated by the local Fish and Game biologists, Bob Dody,  
22 who's been there since just before God, I think. And he  
23 thought there would be no problems with the regulation.

24  
25 MR. FLEENER: And so you don't see any problem with it?

26  
27 MR. MITCHELL: No, I wouldn't see a problem on that.

28  
29 MR. FLEENER: Okay.

30  
31 MR. DeMATTEO: Yeah. The quota for goats -- as far as  
32 the quota, that should be developed probably between Fish and  
33 Game and Wrangell-St. Elias. Just keep in that mind. So I  
34 guess the loose parameters can be fine-tuned here. And that  
35 there is a harvest reporting system in place and that'd be made  
36 directly to the Park and Preserve.

37  
38 MR. GOOD: Mr. Chairman. My concern on this in  
39 monitoring that population is based on the fact that when I  
40 first began hunting goats, the limit was two. And now in many  
41 of those areas you may have to see if you can get a permit --  
42 or apply for a permit in order to go goat hunting and part of  
43 it was that people were simply, you know, kill a nanny, that  
44 kid's going to die. And so I'd like to see the biology aspect  
45 here watched pretty closely.

46  
47 MR. FLEENER: Do you feel strongly enough about it to  
48 amend the motion, change it to.....

49  
50 MR. GOOD: No, I'm willing to go with this, but I just

00150

1 want, you know, an awareness here that this is something you  
2 should be giving consideration in the future.

3

4 MR. MITCHELL: It says that hunting will be allowed by  
5 Federal registration permit only so we can deal with that  
6 through that in terms of what people can take in and keeping  
7 track of it. So I think we can cover that without guessing  
8 anyway.

9

10 MR. GOOD: I'm satisfied.

11

12 MR. FLEENER: Question.

13

14 CHAIRMAN MILLER: The question's been called. All in  
15 favor of Proposal 26.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN MILLER: Opposed same.

20

21 (No opposing responses)

22

23 MR. FLEENER: Now, basically we cannot adopt 27 because  
24 it would override 26. So do we need a motion to reject 27?

25

26 MR. MATHEWS: The cleanest motion would be that you  
27 would take no action on 27 based on your action on 26.

28

29 MR. FLEENER: I make a motion that we take no action on  
30 Proposal 27 based on our.....

31

32 MR. GOOD: Second.

33

34 MR. FLEENER: .....action on 26.

35

36 MR. P. TITUS: Question.

37

38 CHAIRMAN MILLER: Question's been called, all in favor.

39

40 IN UNISON: Aye.

41

42 MR. MATHEWS: That brings us up to Proposal 28 which is  
43 sheep in Unit 11 again.

44

45 MR. DeMATTEO: Proposal 28 was submitted by Robert  
46 Marshall. It would create a sheep season by registration  
47 permit again, in Unit 11, for persons 60 years of age or older  
48 and also who have C&T use for sheep within that unit.

49

50 MR. FLEENER: Mr. Chair. Would this be in addition to

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1 the one sheep that they could get under the regular season that  
2 we just.....

3  
4 MR. DeMATTEO: This is a totally separate season,  
5 which.....

6  
7 MR. FLEENER: So he can still get one sheep?

8  
9 MR. DeMATTEO: Right. This would be an added harvest,  
10 in other words.

11  
12 MR. FLEENER: But he can't get two sheep throughout the  
13 year?

14  
15 MR. DeMATTEO: No. This again would be through  
16 registration permit. But there would not be a designated  
17 hunter permit in addition to that. Access is limited by foot  
18 travel, horseback and also off road vehicles.

19  
20 The preliminary Staff conclusion is to support the  
21 proposal because an evaluation of the harvest data shows that  
22 local rural residents who have C&T use in these areas are  
23 taking a small number of sheep and almost 90 percent of that  
24 harvest is rams. If you consider the elders who would apply  
25 for the permit would be 60 years of age or older and would have  
26 to have C&T use for sheep in this area, an increase in harvest  
27 is expected to be low. Use of the Federal registration permit  
28 would allow for close monitoring of the population to protect  
29 the population.

30  
31 MR. FLEENER: Mr. Chairman. Do we know the dynamics of  
32 the harvest right now? How many people over 60 are harvesting  
33 these resources?

34  
35 MR. DeMATTEO: I don't have that information in front  
36 of me, no.

37  
38 MS. MEEHAN: I could add a little bit to this. This  
39 proposal originally came through the system last year. And the  
40 proponent was particular keen on having it addressed because of  
41 the stated concern that elders have a hard time hunting later  
42 in the season. So they wanted to have an earlier season which  
43 matched traditional practices. When it got to the Staff  
44 Committee and Board, there was a big discussion as to whether  
45 this legally could be done, to have a restriction based on age  
46 and we finally got a solicitor's -- it wasn't an opinion  
47 because it wasn't formal but it was -- it was advice --  
48 advisory comments that there are precedents for providing  
49 access for handicapped individuals. And while you don't  
50 consider someone who's 60 handicapped, but it is a special

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1 class and so that it would be appropriate to go ahead and  
2 provide accommodation for this recommendation.

3

4 And so therefore, the whole proposal just came back  
5 through the cycle again, and that was sort of the frame work  
6 that was going on with it. The expectation is that any harvest  
7 associated with this will be very small.

8

9 MR. MATHEWS: Okay. The State's comments, unless Craig  
10 wants to comment?

11

12 MR. FLEENER: No.

13

14 MR. MATHEWS: They don't support it. The proposal  
15 requests a special season and harvest only for persons of age  
16 60 or older. It also limits access for this hunt to foot,  
17 horseback or RV travel. It is questionable whether the Federal  
18 Subsistence Board has the authority to create a special hunting  
19 season or harvest based on age. Board regulations are to allow  
20 for subsistence users by all rural Alaska residents of areas or  
21 communities having C&T use of particular species. Restriction  
22 on these uses, if necessary, should be implemented through the  
23 criteria setup in ANILCA, Section 804. In addition, there is a  
24 question whether the Board may restrict means of access as a  
25 requested in this proposal.

26

27 And then written comments were, Wrangell-St. Elias  
28 support the proposal as written. Mike Sollee said it sounded  
29 good to him but if there's a loophole, someone would likely  
30 find it and abuse it. So for the record, in case it didn't  
31 pickup on the tape, the Upper Tanana Fortymile Advisory  
32 Committee supported Proposal 28.

33

34 MR. L. TITUS: Move to adopt Staff recommendation on  
35 Proposal 28.

36

37 MR. GOOD: Second.

38

39 CHAIRMAN MILLER: Any questions or comments?

40

41 MR. P. TITUS: Yes, I got a comment. It seems like  
42 it's disregard for elders, since it says 60 years or older.  
43 That's the only comment I got, which is contrary to our  
44 beliefs.

45

46 MR. FLEENER: Is there a C&T determination for people  
47 from our region in this unit for sheep? Again, we're dealing  
48 with something out of our area so I want to make sure it  
49 pertains to us before we make any decisions.

50



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1 MR. DeMATTEO: Let's see, for sheep in Unit 11, north  
2 of the Sanford, is residents of Unit 12 and Chistochina,  
3 Chitina, Copper Center, Dot Lake, Gakona, Gulkana, Glennallen.  
4

5 MR. FLEENER: Thank you.  
6

7 MR. DeMATTEO: Yeah.  
8

9 MR. FLEENER: Save your voice.  
10

11 MR. GOOD: I don't understand why the State would  
12 object to this on the basis of age. Creating special hunting  
13 seasons or harvest based on age since they have a permanent  
14 hunting license that they give to you at a specific age. You  
15 no longer have to buy one. That seems pretty similar to me.  
16 And as I look in the mirror, I think this is a good idea.  
17

18 MR. FLEENER: It looks better every year, um?  
19

20 MR. GOOD: It does. It does.  
21

22 MR. FLEENER: Question.  
23

24 CHAIRMAN MILLER: Question's been called. All in favor  
25 signify by saying aye.  
26

27 IN UNISON: Aye.  
28

29 CHAIRMAN MILLER: Opposed same sign.  
30

31 (No opposing responses)  
32

33 MR. MATHEWS: That brings us up to Proposals 30 and 31.  
34 Which is Unit 13 black bear dealing with revision to C&T  
35 determinations in Unit 13. Again, there's an overlap because  
36 of the fact that there was no determination, that's why it's  
37 before you.  
38

39 MR. SHERROD: I'll try to touch on this really quickly.  
40 And if you recall -- let's deal with these separately because  
41 there's a bit of an error here. Unit 13, going from no  
42 determination for black bear to the communities listed there,  
43 if you'll refer to your action on 21, which was dealing with  
44 Unit 11, the same question and at that point in time you went  
45 with the unit and surrounding units.  
46

47 The Staff analysis basically supports granting C&T for  
48 all residents of Unit 13, which would include all of these  
49 communities.  
50

00154

1 MR. FLEENER: Are there any communities left out?

2  
3 MR. SHERROD: Of Unit 13?

4  
5 MR. FLEENER: Yes.

6  
7 MR. SHERROD: Not by going with all residents of Unit  
8 13. As written, I'm not sure.

9  
10 MR. FLEENER: As written there's eight communities  
11 here.

12  
13 MR. SHERROD: Right. I'm not sure how many communities  
14 are in Unit 13. It's not my area. It's certainly been going  
15 with all the units, I mean you do have people outside of  
16 Glennallen between Copper Center and Glennallen that sort of  
17 fall into nowhere's land. This would -- by going all units,  
18 all residents of Unit 13, you'd pick those stragglers up.

19  
20 MR. FLEENER: I'll make a motion that we adopt Proposal  
21 30. I'm kind of confused about what it says about Staff  
22 recommendation here, with the amendment that we include  
23 qualified residents of adjacent subunits in Region 9.

24  
25 The Staff recommendation is to support then?

26  
27 MR. SHERROD: Is to modify to support all rural  
28 residents of Unit 13.

29  
30 MR. FLEENER: Staff recommendation then with my  
31 amendment.

32  
33 MR. GOOD: There's something again that bothers me  
34 here. You're saying to take 30 and use adjacent? What about  
35 people living within that original area, which is Unit 11, is  
36 that where.....

37  
38 MR. FLEENER: Unit 13 we're dealing with.

39  
40 MR. GOOD: Okay, this is Unit 13?

41  
42 MR. FLEENER: Yes.

43  
44 MR. GOOD: What about those people in there who aren't  
45 living in the communities?

46  
47 MS. MEEHAN: He went for the Staff recommendation which  
48 is all residents of Unit 13.

49  
50 MR. GOOD: Oh, the Staff recommendation, okay, good.

00155

1 No problem.

2

3 MR. MATHEWS: The State's comments on Proposal 30 was  
4 to defer action. They recommend deferral until a comprehensive  
5 review has been done on the use of customary and traditional  
6 use of black bears in Unit -- oh, forget it. I don't know if  
7 these even applies, sorry. It says Unit 11. I don't know,  
8 maybe the State can share their comments.

9

10 MR. FLEENER: They're gone.

11

12 MR. GOOD: But the Staff recommendation was to reject  
13 or support the proposal?

14

15 MR. FLEENER: The only State guy left.

16

17 MR. MATHEWS: Okay. Well, I can just say what's here  
18 and I'll try to look it up if you need me to.

19

20 MR. FLEENER: That's okay, next comment.

21

22 MR. MATHEWS: All right. The written comments, Upper  
23 Tanana did take action on this once so I'll defer to them.

24

25 Wrangell-St. Elias Subsistence Resource Commission  
26 supports the proposal as written. The Commission recognizes  
27 that there are other qualified subsistence users that should be  
28 granted positive C&T.

29

30 MS. HENNESSY: We supported it if amended to add all  
31 current Federal subsistence users.

32

33 MR. FLEENER: In 13?

34

35 MS. HENNESSY: Yeah, 13.

36

37 MR. FLEENER: Question.

38

39 CHAIRMAN MILLER: Question's been called, any other  
40 comments? Go ahead.

41

42 MR. TWITCHELL: Hollis Twitchell. I'm with Denali  
43 National Park. The Subsistence Resource Commission held a  
44 meeting on February 13th and they reviewed the proposal. You  
45 should have a sheet that I handed out to you that represents  
46 the Commission's position on a number of proposals.

47

48 For Proposals 30 and 31, since they were analyzed  
49 together, the Denali Commission recommends the Federal  
50 Subsistence Board make no customary and traditional findings

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1 for black bear in Unit 13 since there is no biological or  
2 subsistence need to do so at this time. However, if the  
3 Federal Subsistence Board decides to make a finding, the Denali  
4 Subsistence Resource Commission recommends that Cantwell  
5 residents should have a customary and traditional use of black  
6 bear. In addition, that individuals living within the Parks  
7 Highway area from Mile Post 216 to 309 with subsistence use  
8 permits for Denali National Park should also have customary and  
9 traditional use for black bear on park lands in Unit 13. That  
10 was by unanimous vote.

11  
12 MR. MATHEWS: And Mr. Chairman, I can clarify the  
13 State's action. The State's action was to defer -- the reason  
14 they mentioned Unit 11 is because it said to refer to Proposal  
15 21. So basically they're saying to defer action until there's  
16 comprehensive review of customary and traditional use of black  
17 bear in Unit 13. And that's it for public comments that I am  
18 aware of. And I appreciate Hollis reminding me of Denali SRC.

19  
20 CHAIRMAN MILLER: Any more questions or comments?

21  
22 MS. MEEHAN: If I could just clarify some geography  
23 with what Hollis Twitchell reported from the Denali Subsistence  
24 Resource Commission. The communities and areas that he  
25 identified would be included in the motion that you have on the  
26 table.

27  
28 MR. FLEENER: Question.

29  
30 CHAIRMAN MILLER: Question's been called. All those in  
31 favor of Proposal 30 signify by saying aye.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN MILLER: Opposed same sign.

36  
37 MR. P. TITUS: Support 30?

38  
39 CHAIRMAN MILLER: Yeah.

40  
41 MR. MATHEWS: Mr. Chairman, I probably would recommend  
42 that this would be the last two proposals -- oh, no, we still  
43 got to do 31. That's right, sorry.

44  
45 MR. P. TITUS: Bring them on.

46  
47 MR. SHERROD: We're up to 31. The first part of 31 is  
48 Unit black bear 13, you just dealt with that so you don't need  
49 to be concerned. The second part was for Unit 20(A) and 29(C).  
50 The proposal requests going from a no determination to a

00157

1 determination for rural residents between Mile Post 216 and 309  
2 of the Parks Highway. That's a small section of the Parks  
3 Highway and I'm not sure where it's at. Hollis probably knows  
4 roughly where that piece of road is, I'm not sure. I'd have to  
5 say that the Staff conclusion doesn't fit because I think they  
6 believe that the Parks Highway is in Unit 13. It was based on  
7 the belief that this was asking -- Unit 13 residents were  
8 asking for C&T in Unit 20(A) and (C), which is not the case.

9  
10 Again, since this is a black bear proposal and you've  
11 sort of set a pattern in dealing with these, you might -- I  
12 would suggest it, at least, be as comprehensive as the moose  
13 and caribou proposals for Unit 20 and 20(A) or more so based on  
14 what you've done here in the past. This is 20 and 20(A), which  
15 is.....

16  
17 MR. FLEENER: Does anybody foresee a problem with them  
18 hunting black bear in 20(A) and 20(C)?

19  
20 MR. GOOD: Mr. Chairman.

21  
22 CHAIRMAN MILLER: Yes.

23  
24 MR. GOOD: I have a problem with anything that  
25 restricts a determination to people living, you know, just  
26 along a particular stretch of the Parks Highway. Their names  
27 are going to be on the mailbox, you know. This doesn't make  
28 sense to me.

29  
30 MR. FLEENER: Right. Because they're already included.

31  
32 MR. GOOD: Yeah.

33  
34 MR. FLEENER: It's not going to give them -- what's  
35 their reasoning? Let's look at their reasoning. Oh, they just  
36 want a C&T determination for those people living there. This  
37 does severely restrict doesn't it?

38  
39 MR. GOOD: It sure does.

40  
41 MR. FLEENER: Because it's just -- but if we adopt the  
42 C&T with all the residents of Unit -- boy, my brain hurts.

43  
44 MR. MATHEWS: Mr. Chairman, not speaking for that  
45 committee, but having worked with that committee in the past, I  
46 would tend to think they're saying recognition, not eliminating  
47 others.

48  
49 MR. FLEENER: Well, that's why I'm trying to find a way  
50 to word that in a motion with where the motion that -- that's

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1 been very similar to the ones we've been passing to fill the  
2 need of a C&T, but not exclude other people.

3

4 MR. SHERROD: Hollis, do you know in which Unit that  
5 section of the highway -- or is the highway actually the unit  
6 line?

7

8 MR. TWITCHELL: About 216 would be just south of  
9 McKinley Village and then that would continue up -- 309 would  
10 be north of Healy.

11

12 MR. MATHEWS: Right in here then?

13

14 MR. FLEENER: Between Healy and McKinley Park?

15

16 MR. MATHEWS: Oh, Healy and McKinley Park. Okay.  
17 Maybe Hollis could point it out, I don't know.

18

19 MR. TWITCHELL: Cantwell is right here. 216 is right  
20 here and in right in this area where McKinley Village is and  
21 extend up toward Healy. I'm not sure exactly where 309 falls  
22 in on the upper boundary.

23

24 MR. FLEENER: What's this Ferry thing, is that a  
25 community? Yes, no?

26

27 MR. P. TITUS: Yes.

28

29 MR. FLEENER: So it's north of Ferry a little ways,  
30 possibly, could be?

31

32 MR. TWITCHELL: Yes.

33

34 MR. SHERROD: And the road is the boundary line; is  
35 that correct?

36

37 MR. TWITCHELL: Yes.

38

39 MR. SHERROD: Yeah.

40

41 MR. TWITCHELL: Maybe I could build on what Vince said.  
42 This proposal is a very old C&T carryover from pre-90s. And it  
43 came about since it effected McKinley Village people and they  
44 were concerned about losing C&T for using black bear which  
45 occurred to them with moose and caribou. And so an effort to  
46 ensure that they wouldn't lose black bear as well, I believe  
47 that was the impetus for submitting that proposal years ago.

48

49 MR. FLEENER: Do the people that made this proposal  
50 realize that they'll be the only ones with a C&T between this

00159

1 80 mile stretch of the highway or whatever it is?

2

3 MR. GOOD: And all the way to Delta Junction.

4

5 MR. TWITCHELL: I can't speak for the Middle Nenana  
6 Advisory Committee. It was a long time ago that they proposed  
7 that.

8

9 MR. FLEENER: Because the way it looks, the people from  
10 216 to 309 will be the only ones able to hunt black bear in  
11 20(A) and 20(C).

12

13 MR. GOOD: That's right.

14

15 MR. SHERROD: As it's written, yes.

16

17 MR. GOOD: Yeah, all the way to Delta Junction.

18

19 MR. TWITCHELL: My impression.....

20

21 MR. FLEENER: Maybe we should defer this back to that  
22 -- to them and talk to them about what C&T -- what this C&T  
23 determination will do?

24

25 MR. MATHEWS: No, I don't.....

26

27 MR. FLEENER: You don't think so?

28

29 MR. TWITCHELL: My impression is that they didn't want  
30 to eliminate anyone, they just want to ensure that that area  
31 would have an opportunity.

32

33 MR. FLEENER: Right. So that a motion saying.....

34

35 MR. P. TITUS: Well, we could amend the proposal.

36

37 MR. SHERROD: Since it is a boundary line, you could go  
38 Units 20(C) and 20(B), treat them as a single unit and all --  
39 adjacent units, that's basically what you did in the past.

40

41 MR. FLEENER: Can you put that in writing real quick  
42 and I'll read it as a motion.

43

44 MR. MATHEWS: Well, you need the -- the Fish and Game's  
45 comments.....

46

47 MR. FLEENER: I mean I'll make an amendment.

48

49 MR. MATHEWS: .....were to.....

50

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1 MR. P. TITUS: We don't need their comments.

2

3 MR. MATHEWS: .....defer action. The Fish and Game  
4 wanted to defer until a comprehensive review. I would predict  
5 on all these that they're saying comprehensive review will have  
6 RFRs back before you. And so they're -- until that's done they  
7 want to defer comment.

8

9 Wrangell-St. Elias took no action on this. And Hollis  
10 already gave you the action of Denali Subsistence Resource  
11 Commission.

12

13 MR. GOOD: Mr. Chairman. With the current regulation  
14 reading all rural residents, I don't see that they're going to  
15 lose anything. I don't -- you know, the only people that stand  
16 to lose anything is everybody but them. So I don't think we  
17 should take action on this.

18

19 MR. FLEENER: But they're going to come back again  
20 saying we want our C&T determination. It's a very old -- like  
21 they said, it's a very old.....

22

23 MR. GOOD: This has been sitting around a long time, I  
24 think we can wait until it comes back again, see if they really  
25 do.

26

27 MR. FLEENER: I don't know if I like that. People are  
28 asking for C&T determinations because they want recognition  
29 that they customary and traditionally use this. Now, we don't  
30 like this wording, we need to make an amendment to the wording,  
31 but still include the C&T determination. That's what we've  
32 been doing with these other proposals. Some of them have been  
33 limiting and we've gotten rid of that by including all the  
34 residents in that unit and surrounding areas.

35

36 MR. GOOD: As long as they're considered rural  
37 residents they have the C&T determination. The only thing we  
38 can do with this point.....

39

40 MR. FLEENER: No, there's no determination.

41

42 MR. GOOD: .....is take it away.

43

44 MR. FLEENER: There is no.....

45

46 MR. GOOD: That means as rural residents they have C&T  
47 for it or am I missing something here?

48

49 MR. FLEENER: Yeah, there is no.....

50



00161

1 MR. SHERROD: De facto. That's the de facto.

2

3 MR. GOOD: Isn't there a correct way of saying -- yeah,  
4 it's de facto, there's nothing that prevents them having it.  
5 They will prevent others though if we act on this.

6

7 MR. TWITCHELL: That was the reasoning of the Denali  
8 Subsistence Resource Commission for deferring the proposal.  
9 They didn't see any reason why there was a need to make a C&T  
10 determination since it was open to all rural residents and,  
11 therefore, they recommended deferring. And at some later time  
12 if there was a resource issue and the need to establish that  
13 you could deal with it at a later time.

14

15 MR. FLEENER: Well, that goes back to then almost all  
16 of the C&T determinations that we've passed, the only reason we  
17 passed the majority of them is because these people want their  
18 traditions recognized. That's the reason that these people are  
19 asking for these. And so for the reasoning you two just  
20 pointed out, we should throw out most of the C&T  
21 determinations.

22

23 MR. MATHEWS: But you were going to take the three-step  
24 approach. One, was we're going to deal with the subunits  
25 adjacent.....

26

27 MR. FLEENER: But we're not taking that step here,  
28 we're saying.....

29

30 MR. MATHEWS: Well.....

31

32 MR. FLEENER: .....we're saying we're not going to  
33 recognize -- we're not going to acknowledge your request for a  
34 C&T determination because of the same reason that a lot of  
35 people bring up all the time.

36

37 MR. P. TITUS: We gave -- in the proposal 101, I guess  
38 we gave them C&T for moose. Revised customary and traditional  
39 use of moose determination down there in Unit 20(A), it says,  
40 along the area along Parks Highway, Mile Post 216 to 239.

41

42 MR. FLEENER: 309 or 239?

43

44 MR. P. TITUS: It's 216 to 239 in my book, maybe my  
45 book is not right. But we gave this section of the highway C&T  
46 for moose for Unit 12 and 20.

47

48 MR. GOOD: In that case we could give them something  
49 because it's already been divided up between others. If they  
50 weren't in there they'd lose it. In this case over here, they

00162

1 already have it. Do you see? Understand that? If they  
2 weren't listed there they wouldn't have it, but those other  
3 people have it.

4  
5 MR. P. TITUS: But the other communities got C&T don't  
6 they, except these two guys, this Mile Post 216 to.....

7  
8 MR. FLEENER: There's no C&T determination right now,  
9 everybody can hunt.

10  
11 MR. GOOD: Yeah, everybody can hunt.

12  
13 MR. NICHOLIA: What if there was a shortage, they  
14 wouldn't have customary and traditional use.....

15  
16 MR. MATHEWS: If there was a shortage with the.....

17  
18 MR. NICHOLIA: .....if we don't make the determination  
19 for them.

20  
21 MR. MATHEWS: Well, if there's a no determination, we'd  
22 probably go to make a determination or go to 804 and apply the  
23 three factors of proximity, alternate resources and customary  
24 dependency. If there's a shortage that would happen.

25  
26 MR. FLEENER: I don't like not giving people their C&T  
27 determination when they ask for it. But I also don't want to  
28 exclude everybody else in 20(A) and (C). What we need to do is  
29 come up with something that includes people in (A) and (C) in  
30 this harvest, but gives -- acknowledges the people within this  
31 80 mile zone here their traditional and use of the resource.

32  
33 MS. MEEHAN: Maybe I could suggest another way to look  
34 at this particular one. And this is a peculiar proposal  
35 because it's one that was submitted a long time ago and it was  
36 submitted at a time when there was not a general understanding  
37 of what C&T means and how it is used. And from my perspective  
38 it seems like this might be an appropriate one to say -- to  
39 essentially send it back to the proponent and say, given a  
40 better general understanding of what C&T means and what --  
41 having a C&T determination will and won't do for you, do you  
42 still want to make this proposal or do you want to broaden it  
43 so that it for sure includes other people in the area. So if  
44 you take an action like that and then without -- you'd still be  
45 supportive of the request, but it's at the same time sending it  
46 back to the proponent that given sort of new information and a  
47 better understanding of the system, they could better define a  
48 proposal.

49  
50 MR. FLEENER: I can support that if we can get some

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1 commitment from Staff to give them a call or something and say  
2 what this -- how this is going to effect other people.

3  
4 MS. MEEHAN: Absolutely.

5  
6 MR. FLEENER: Okay. I'll make the motion that we send  
7 this back to Copper River Native Association then.

8  
9 MR. SHERROD: No, this is -- do they exist now?

10  
11 MR. FLEENER: Oh, I'm always reading these names  
12 backwards. Yes.

13  
14 MR. SHERROD: Okay, okay. It's not the one that  
15 disappeared. One of them disappeared.

16  
17 MR. P. TITUS: Let's move on. Second.

18  
19 MR. FLEENER: Question.

20  
21 MR. MATHEWS: I think Rosa got the motion though,  
22 because I'm going to end up doing it.

23  
24 CHAIRMAN MILLER: All in favor.

25  
26 IN UNISON: Aye.

27  
28 MR. FLEENER: You're going to end up doing what,  
29 calling? Just do it right now.

30  
31 MR. MATHEWS: No, no, no, that's not the concern. I  
32 think George, Hollis and I will have to huddle on -- I think  
33 this was written in response to the O'Connor situation.

34  
35 MR. P. TITUS: Let's get out of here.

36  
37 MR. FLEENER: How many more do we got?

38  
39 MR. GOOD: Too many.

40  
41 MR. P. TITUS: Too many. Mr. Chairman, I call for a  
42 recess.

43  
44 MR. FLEENER: How many, seven or eight more?

45  
46 MR. P. TITUS: Call for recess Mr. Chairman.  
47 Acknowledge me.

48  
49 MR. MATHEWS: Eleven is what I counted. You're  
50 actually pretty healthy right now.

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1 MR. FLEENER: We're pretty healthy?

2

3 MR. MATHEWS: Yeah.

4

5 MR. FLEENER: What's that mean?

6

7 MR. MATHEWS: That your energy is -- I don't know that  
8 you've progressed pretty.....

9

10 MR. FLEENER: We're doing all right?

11

12 MR. MATHEWS: You've done quite a few proposals. The  
13 rest of them, without going into detail, I think a lot of them  
14 are C&T's. So we've got a rhythm with C&T's.

15

16 MR. FLEENER: Okay. If they're all C&T, I just make a  
17 motion that we just.....

18

19 MR. MATHEWS: No, no. We need two things, when are we  
20 coming back into session and the room has to be cleaned up for  
21 an activity tonight.

22

23 MR. P. TITUS: Oh, we got to take our stuff, um?

24

25 MR. FLEENER: Yeah.

26

27 MR. P. TITUS: What kind of activity?

28

29 MR. MATHEWS: Well, I don't know.

30

31 MR. P. TITUS: What time do they need the hall?

32

33 UNIDENTIFIED VOICE: 7:00.

34

35 MR. MATHEWS: No, wait a minute, wait, wait, wait. I  
36 must have put it on here somewhere, 8:30 is the way it's been  
37 announced.

38

39 CHAIRMAN MILLER: Can you open the hall up tomorrow  
40 8:30?

41

42 MR. MATHEWS: Yeah.

43

44 MR. FLEENER: You probably need a little bit more time  
45 because we're going to have to set everything back up, so maybe  
46 8:00.

47

48 MR. MATHEWS: 8:00, oh, okay.

49

50 MR. FLEENER: Vince will get up at 6:00, but that's

00165

1    okay.

2

3               MR. P. TITUS:  Yeah, Vince will be over at 7:00.

4

5               MR. FLEENER:  Just give Vince your key.

6

7               MR. P. TITUS:  Yeah, let's give Vince the key.

8

9               MR. MATHEWS:  All right.  Please take all your  
10 materials home, they're quite valuable.

11

12               (Hearing recessed)

13

14                               \* \* \* \* \*

## C E R T I F I C A T E

1  
2  
3 UNITED STATES OF AMERICA )  
4 ) ss.  
5 STATE OF ALASKA )  
6

7 I, Joseph P. Kolasinski, Notary Public in and for the  
8 State of Alaska and Reporter and Owner of Computer Matrix, do  
9 hereby certify:  
10

11 THAT the foregoing pages numbered 02 through 165  
12 contain a full, true and correct Transcript of the Eastern  
13 Interior Federal Subsistence Regional Advisory Council,  
14 Volume I, meeting taken electronically by Annalisa DeLozier on  
15 the 18th day of February, 1998, beginning at the hour of 9:00  
16 o'clock a.m. at the Tanacross Community Hall, Tanacross,  
17 Alaska;  
18

19 THAT the transcript is a true and correct transcript  
20 requested to be transcribed and thereafter transcribed by my  
21 firm to the best of our knowledge and ability;  
22

23 THAT I am not an employee, attorney, or party  
24 interested in any way in this action.  
25

26 DATED at Anchorage, Alaska, this 26th day of February,  
27 1998.  
28  
29  
30  
31

32 \_\_\_\_\_  
33 JOSEPH P. KOLASINSKI  
34 Notary Public in and for Alaska  
My Commission Expires: 04/17/00